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INTENT LANGUAGE AS USED IN APPROPRIATIONS ACTS

A REPORT TO THE  
EXECUTIVE APPROPRIATIONS COMMITTEE

OFFICE OF THE LEGISLATIVE FISCAL ANALYST  
JONATHAN BALL  
JUNE 6, 2005

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**INTRODUCTION**

Each year, legislators include in appropriations acts intent language to clarify the purposes of given appropriations. Many times intent language is used to provide nonlapsing authority to line-items. This report examines the way intent language has been used in the past, recommends instances in which statute is preferable to intent, and suggests guidelines under which appropriations subcommittees might consider requests for nonlapsing intent language.

The report investigates the use of intent language and nonlapsing authority by answering the following questions:

1. What is intent language as defined by statute?
2. How has intent language been used in past appropriations acts?
3. In what cases should statute be used instead of intent?
4. What is nonlapsing authority as defined by statute?
5. What should subcommittees consider before granting nonlapsing authority in intent?

Finally, the report recommends reviewing past intent language for instances that may require statutory change and amending the Budgetary Procedures Act so that procedures for requesting and granting nonlapsing authority are more clearly defined.

**INTENT LANGUAGE IN GENERAL****WHAT IS APPROPRIATIONS INTENT LANGUAGE?**

*Intent language clarifies the purpose of, sets conditions on, and/or restricts uses of items of appropriation*

The budgetary procedures act states that “Any and all conditions as may be attached to items of appropriation made by the appropriations act not inconsistent with law shall be binding upon the recipient of any such appropriation.” (UCA 63-38-13) The act further states that “In providing that certain appropriations are to be expended in accordance with a schedule or other restrictions, if any, set forth after each appropriations item, it is the intent of the Legislature to limit the amount of money to be expended from each appropriations item for certain specified purposes.” (UCA 63-38-3) Such conditions and restrictions that are attached to or follow an item of appropriation are commonly referred to as intent language.

*Intent applies only to a single line item for a single year and is not itself an appropriation*

Legislative attorneys have interpreted the Budgetary Procedures Act to mean that, since conditions are “attached” to items of appropriations, such conditions only apply to the item of appropriation to which they are attached. In other words, if Legislators wish to use intent language to set conditions for an entire agency that receives multiple items of appropriation – or for state government as a whole – then the Legislature must reiterate those conditions for each item of appropriation.

As an item of appropriation is only effective for a single fiscal year, intent language associated with that item of appropriation also only applies for that single fiscal year. Legislators must repeat their intent with each succeeding fiscal year should they wish it to be binding in those fiscal years.

Intent language is not itself an item of appropriation. Legislators should not use intent language to authorize expenditure. Rather, they should propose items of appropriation in which recipients and funding sources are clearly identified, and for which intent language may or may not be used to set conditions or clarify purposes.

#### **HOW HAS INTENT LANGUAGE BEEN USED IN PAST APPROPRIATIONS ACTS?**

In the past, appropriations intent language has been used to:

1. grant nonlapsing authority;
2. establish reporting requirements;
3. specify the purpose for which an appropriation or portion thereof shall be used;
4. direct the allocation of an appropriation;
5. set conditions, such as caps or matching requirements, for appropriations; and,
6. in some cases, make exceptions to statute.

Most of the time, intent language can legitimately be used for functions one through four, above. However, depending upon the extent of the conditions being placed upon an appropriation's recipient, function number five may require statute. Given UCA 63-38-13 as stated above, function number six is not a legitimate use of intent language.

The appropriations intent language passed by the Legislature in the past two fiscal years is attached as appendices to this report.

#### **IN WHAT CASES SHOULD STATUTE BE USED INSTEAD OF INTENT?**

*Use statutory amendments to exempt or alter existing law*

Clearly when intent language attempts to change statute, or is contrary to existing statute, the sponsor of the language should propose statutory amendments instead of intent language.

For example, law makers have included the following piece of intent language in past appropriations to the Department of Administrative services, Division of Information Technology Services:

*"It is the intent of the Legislature that Information Technology Services be allowed to add FTEs beyond the authorized level if it represents a benefit to the state and a decrease of FTEs in the user agency. The total FTEs within state government shall not change with this shift of FTEs. Prior to transferring FTEs to the Internal Service Fund, the Department of Administrative Services shall report to the Executive Appropriation Committee decreased personal service expenditures in the originating agency and corresponding increased Internal Service Fund charges that will result from the transfer."*

However, the Division of Information Technology Services is an internal service fund. FTE (full-time equivalent) employment levels in internal service funds are controlled by the Budgetary Procedures Act. The Act states that "An internal service fund agency may not bill another agency for services

that it provides, unless the Legislature has...approved the number of full-time, permanent positions of the internal service fund in an appropriations act.”  
(UCA 63-38-3.5)

The rationale behind the above intent language is reasonable – if state government can increase its productivity and even save money by consolidating positions into a central service provider, it should do so. This approach is even perhaps preferable to statute. However, given that full-time equivalent employment levels in internal service funds are controlled by statute and statute trumps intent language, a statutory amendment better suits the purpose of this intent language.

*Use statute to bridge multiple years or items of appropriation*

In cases where appropriations intent language is repeated year after year, or apply to more than one line-item, legislators may consider using statute rather than appropriations intent. As noted above, an appropriation expires at the end of the fiscal year for which it is provided. As such, so does the intent language associated with that appropriation. Rather than repeating the intent in appropriations bills year after year, the Legislature could enact statute that serves the same purpose as the intent but for a defined period of time, presumably longer than one year.

For example, the legislature has in the past on multiple occasions used the following intent language to condition appropriations to multiple institutions of higher education:

*“It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.”*

Rather than repeating this language for each line item in each institution of higher education for each and every fiscal year, the Legislature could add such language to higher education’s authorizing legislation, or place it in uncodified statute.

*Use new or existing statute to place extensive requirements on funding recipients*

Finally, where intent language places extensive requirements on the expenditure or distribution of funds, the Legislature might consider statute – or separate line-item appropriations – instead of appropriations intent.

For example, the following intent language was included in an appropriation to the Department of Administrative Services, Division of Finance for a statewide project to upgrade public safety communications:

*It is the intent of the Legislature that funds provided for 800 MHz Conversion be allocated among State agencies by the Chief Information Officer in consultation with the Director of Information Technology Services according to the following criteria:*

*1. New ongoing funds shall be distributed to agencies such that total ongoing resources for each agency are sufficient to pay annual service fees on radios purchased with prior year appropriations*

2. *One-time and remaining new ongoing funds shall be distributed to agencies for purchase of additional radios and payment of annual service fees.*

Preferably, appropriators would have determined the allocation in advance of the appropriation and included the funds in multiple line-items. Alternatively, the Legislature could have created in statute a program that would receive the appropriation and distribute it according to a statutory formula.

### **NONLAPSING INTENT LANGUAGE**

#### **WHAT IS NONLAPSING AUTHORITY AS DEFINED BY STATUTE?**

*Appropriations usually expire at the end of a fiscal year*

As a default, authority to expend funds for a given fiscal year expires at the end of that fiscal year and any unspent and unencumbered funds lapse back to the fund or account from which they were appropriated. The Budgetary Procedures Act states that “on or before August 31 of each fiscal year, the director of the Division of Finance shall close out to the proper fund or account all remaining unexpended and unencumbered balances of appropriations made by the Legislature...” (UCA 63-38-8)

There are multiple exceptions to the year-end lapsing rule, including:

1. appropriations from certain funds as stipulated in statute;
2. appropriations to certain agencies, divisions, or programs, as specified in statute;
3. appropriations for capital equipment if delivery is expected before June 30 of a given fiscal year;
4. appropriations for which the legislature grants specific nonlapsing authority for one-time projects in a subsequent legislative session under UCA 63-38-8.1; and,
5. “any other” case in which the Legislature grants nonlapsing status through statute or in an appropriations act.

*Intent language may extend the availability of a current year appropriation for specific one-time projects, or for unspecified purposes far in advance of fiscal year-end*

Typically, the Legislature provides nonlapsing authority through appropriations intent language in two ways. First, it may take “supplemental” action three to six months before the end of a fiscal year, identifying specific one-time projects for which nonlapsing funds can be used. By way of example, the following supplemental grant of nonlapsing authority is included in the *Supplemental Appropriations Act* (S.B. 1, 2005 General Session):

*Under terms of Section 63-38-8.1 Utah Code Annotated, Item 223 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*

*Contractual Maintenance - \$100,000*

*Land and Buildings (environmental clean up) - \$200,000*

*Land Purchases - \$500,000*

Second, legislators may grant *a priori* nonlapsing intent language sixteen to eighteen months in advance of the end of a fiscal year. Such intent language

typically looks like this statement included in the *Annual Appropriations Act* (H.B. 1, 2005 General Session):

*The Legislature intends that funds provided for the Attorney General shall not lapse.*

As a matter of policy, the Legislative Fiscal Analyst prefers nonlapsing intent language that is granted in supplemental action under 63-38-8.1. The Analyst believes that granting nonlapsing authority nearer to the end of a fiscal year allows for better estimation of available balances, provides greater accountability for the potential uses of such balances, and permits the Legislature more flexibility in prioritizing spending.

**WHAT SHOULD SUBCOMMITTEES CONSIDER BEFORE GRANTING NONLAPSING AUTHORITY IN INTENT?**

*Statute includes clear guidance on supplemental nonlapsing authority for one-time projects*

The Budgetary Procedures Act, in UCA 63-38-8.1, provides clear guidelines by which appropriations subcommittees should provide supplemental nonlapsing authority for one-time projects. Specifically, prior to receiving such authority, agencies must submit to the Governor and ultimately the Legislature a list of one-time projects for which nonlapsing authority will be granted. The Governor and Legislature may approve some or all of the list, and shall prioritize the items on the list. Finally, the Legislature shall identify the one-time projects in supplemental nonlapsing intent language.

Supplemental nonlapsing authority cannot create new programs, enhance the level of existing programs, or require an appropriation from the legislature in subsequent fiscal years.

*Statute is less clear on nonlapsing authority granted in advance of a given fiscal year*

Utah law, however, does not stipulate what agencies must do to receive *a priori* nonlapsing intent. Nor does statute state what appropriations subcommittees should consider when debating the grant of such authority. The law simply states “any other appropriations excepted by statute or by an annual appropriations act” shall not lapse. (UCA 63-38-8(2)(g))

Without proper oversight, *a priori* nonlapsing intent language may have unintended consequences. Before Utah consolidated its vehicle fleet, agencies often used nonlapsing funds to purchase vehicles without explicit legislative approval, thus increasing the size of the state’s vehicle fleet. In some cases, as with internal service fund capital outlay authority prior to FY 2005, nonlapsing authority can allow agencies to independently create new products and programs or perpetuate old ones.

For example, after the Utah State Tax Commission abandoned its UTAH project, it continued to upgrade tax computer systems under the following *a priori* nonlapsing intent language (Item 64, S.B. 1, 2004 General Session):

*The Legislature intends that these funds not lapse and that the balances carried forward be used for costs directly related to the modernization of tax and motor vehicle systems and processes.*

This language perpetuates an old program, but does not require reporting nor does it ensure accountability as does a request for appropriation.

The Analyst believes Appropriations Subcommittees should tend toward granting supplemental nonlapsing intent. However, in cases where intent will be granted prior to the start of a fiscal year, Subcommittees might consider the following:

1. How have nonlapsing balances for a line-item changed in the past five years for which observed (or “actual”) financial data is available? If a line-item’s nonlapsing balances grow over time, the line-item’s base budget might be more than sufficient to address its costs.
2. How have actual nonlapsing balances compared to corresponding estimates of those balances made prior to each of the previous five fiscal years? If estimates do not accurately reflect observed balances, the Legislature may wish to more closely scrutinize an advance request for nonlapsing authority.
3. How does the line-item spend its resources over the course of a fiscal year? If spending on one-time costs increase dramatically at the end of the year, the Legislature may wish to more closely examine a program’s base budget.
4. What evidence can a program manager provide to justify the need for nonlapsing authority in advance of a fiscal year? Each state program is different and requires an independent analysis.

### **RECOMMENDATIONS**

The Legislature made significant progress toward better use of intent language in the 2005 Legislative General Session. However, it may wish to put some of the language previously included in appropriations acts in statute. Conversely, the use of *a priori* nonlapsing intent language seemed to increase for fiscal year 2006.

To address these concerns, the Legislative Fiscal Analyst recommends the following:

1. Direct legislative staff to review prior-year intent language to determine what - if any - should be placed in statute, and to work with the Chairs of the Executive Appropriations Committee to draft any such proposed law.
2. Revise the Budgetary Procedures Act to include more specific guidelines for granting nonlapsing authority through intent language prior to the start of a fiscal year.

### **CONCLUSION**

Appropriations intent language has legitimate uses including clarifying, conditioning, and, in some cases, restricting the expenditure of funds. Periodic review of current practice with regard to intent language only serves to preserve those legitimate uses. In some cases, intent language may be better suited for statute. In other cases, specifically for nonlapsing intent language, appropriators may wish to require further analysis before approving such intent.

**APPENDIX A: INTENT LANGUAGE INCLUDED IN FY 2005 APPROPRIATIONS ACT (S.B. 1, 2004 GS)**



## Consolidated Intent Language - Appropriations Act

### Executive Offices & Criminal Justice

#### Governor's Office

1. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*

#### Governor's Office - Elections

2. *The Legislature intends that funds provided for the Elections shall not lapse.*

#### Governor's Office - Emergency Fund

3. *The Legislature intends that funds provided for the Governor's Emergency Fund shall not lapse.*

#### Governor's Office - RS-2477 Rights of Way

4. *The Legislature intends that funds provided for the RS-2477 Rights of Way line item shall not lapse.*
5. *It is the intent of the Legislature that funds expended from the R.S. 2477 Fund be used for litigation or negotiations designed to quiet title to existing rights of way established before 1976 under RS 2477 guidelines. It is further the intent of the Legislature that the Governor or his designee shall present a report to the Legislature prior to the 2005 General Session detailing activities funded within this line item, including information on cooperation and coordination with counties and the Utah Attorney General's office..*

#### Governor's Office - Governor's Office of Planning and Budget

6. *The Legislature intends that funds provided for the Governor's Office of Planning and Budget shall not lapse.*

#### Governor's Office - GOPB - Chief Information Officer

7. *The Legislature intends that funds provided for the Chief Information Officer shall not lapse.*

#### Governor's Office - Commission on Criminal and Juvenile Justice

8. *The Legislature intends that funds provided for the Commission on Criminal and Juvenile Justice shall not lapse.*

#### State Auditor

9. *The Legislature intends that funds provided for the State Auditor shall not lapse.*

#### State Treasurer

10. *The Legislature intends that funds provided for the State Treasurer shall not lapse.*

#### Attorney General

11. *It is the intent of the Legislature that up to \$120,000 provided from the General Fund Restricted - Constitutional Defense account be used to pay for legal services regarding public lands issues involving the state, other than those related to existing rights of way established before 1976 under RS-2477 guidelines.*
12. *It is the intent of the Legislature that the Attorney General use up to \$400,000 for market comparability adjustments (MCA's) to increase salaries of attorneys. It is further the intent of the Legislature that the Attorney General report to the Executive Appropriation Committee a plan to allocate these MCA's, and the impact that said allocations will have on state agencies.*
13. *It is the intent of the Legislature that the Office of the Legislative Fiscal Analyst shall examine whether cost of computer assisted legal research can be reduced.*
14. *The Legislature intends that funds provided for the Attorney General shall not lapse.*

Attorney General - Contract Attorneys

15. *The Legislature intends that funds provided for Contract Attorneys shall not lapse.*

Attorney General - Children's Justice Centers

16. *The Legislature intends that funds provided for the Children's Justice Centers shall not lapse.*

Attorney General - Prosecution Council

17. *The Legislature intends that funds provided for Prosecution Council shall not lapse.*

Attorney General - Domestic Violence

18. *The Legislature intends that funds provided for Domestic Violence shall not lapse.*

Corrections - Corrections Programs & Operations

19. *The Legislature intends that the Utah Department of Corrections pursue the following performance goals in Fiscal Year 2005:*

*Housing Utilization: 95% of Maximum Capacity*

*Parolee Rate of Return: 25% New Prison Admission of Parolees*

*Probationer Rate of Return: 3.5% New Prison Admission of Probationers*

20. *It is the intent of the Legislature that the following line items in the Department of Corrections be consolidated for Fiscal Year 2005: Programs and Operations; Medical Services; and Utah Correctional Industries. The remainder of the Department's line items of appropriation will each remain separate line items. These are: Jail Contracting; Jail Reimbursement; and DP Internal Service Fund.*

21. *The Legislature intends that funds provided for Corrections Programs and Operations shall not lapse.*

Corrections - Department Medical Services

22. *The Legislature intends that funds provided for Corrections Department Medical Services shall not lapse.*

Corrections - Jail Contracting

23. *The Legislature intends that funds provided for Jail Contracting shall not lapse.*

Corrections - Jail Reimbursement

24. *The Legislature intends that the Department of Corrections shall adjust its rule on Jail Reimbursement so that it more closely conforms with Utah Code Annotated Title 64 Chapter 13c. Specifically, the Legislature intends that the Department shall reimburse core inmate incarceration costs from the Jail Reimbursement line item at the rate of 70%. The Legislature intends that the Department reimburse costs related to transportation and/or medical care of probationers sentenced to county jail from the Jail Reimbursement line item as remaining funding allows and up to the rate of 70%.*

25. *The Legislature intends that funds provided for Jail Reimbursement shall not lapse.*

Board of Pardons and Parole

26. *The Legislature intends that funds provided for the Board of Pardons and Parole shall not lapse.*

Juvenile Justice Services - Programs and Operations

27. *It is the intent of the Legislature that the Division of Juvenile Justice Services may provide capital to the Division of Fleet Operations for the purchase of no more than two vehicles for use at the new Washington County facility.*

28. *The Legislature intends that funds provided for Juvenile Justice Services Programs and Operations shall not lapse.*

Juvenile Justice Services - Youth Parole Authority

29. *The Legislature intends that funds provided for the Youth Parole Authority shall not lapse.*

Courts - Administration

30. *It is the intent of the Legislature that the state court system examine the possibility of establishing an electronic filing system which could be used for most, if not all, documents filed within the state courts system and report to the Executive Appropriation Committee when such a system could be in place, how much it would cost and whether or not a self-funded system is a feasible alternative.*
31. *It is the intent of the Legislature that the Office of the Legislative Fiscal Analyst shall examine whether cost of computer assisted legal research can be reduced.*
32. *The Legislature intends that funds provided for Courts Administration shall not lapse.*

Courts - Grand Jury

33. *The Legislature intends that funds provided for the Grand Jury line item shall not lapse.*

Courts - Contracts and Leases

34. *The Legislature intends that funds provided for Courts Contracts and Leases shall not lapse.*

Courts - Jury and Witness Fees

35. *The Legislature intends that funds provided for Jury and Witness Fees shall not lapse.*

Courts - Guardian ad Litem

36. *The Legislature intends that funds provided for the Guardian ad Litem line item shall not lapse.*

Courts - Judicial Salaries

37. *The Joint Appropriations Subcommittee for Executive Offices and Criminal Justice recommends that the increase in salaries for the District Court Judges be set at the same level as that for the other state employees.*
38. *Under provisions of Section 67-8-2, Utah Code Annotated, the following salaries are approved for judicial officials for July 1, 2004 to June 30, 2005: District Court Judge \$104,750. Other judicial salaries will be calculated in accordance with the statutory formula and rounded to the nearest \$50.*

Public Safety - Public Safety Programs & Operations

39. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*
40. *It is the intent of the Legislature that the Department of Public Safety may increase the fleet if funding is provided through federal aid or other sources for special programs or projects. It is further the intent of the Legislature that vehicles purchased under this intent language will not be eligible for replacement using General Fund borrowing capacity held by the State Division of Fleet Operations. Any expansion vehicle purchase during the interim under this intent language shall be reported to the Legislative Fiscal Analyst.*
41. *It is the intent of the Legislature that receipts above the appropriated dedicated credits amount of reimbursable flight time for the Department of Public Safety aircraft shall not lapse and be used for major aircraft maintenance.*
42. *It is the intent of the Legislature that the Department of Public Safety may continue with the consolidated line items of appropriation for Fiscal Year 2005 to assist with mitigation of base budget reductions. It is further the intent of the Legislature that this consolidation is for the period of Fiscal Year 2005 only. The following line items of appropriations for continued consolidation into one line item for Fiscal Year 2005 are: Commissioner's Office; Criminal Investigations and Technical Services Division; Utah Highway Patrol; Management Information Services; and Fire Marshal's Office. The remainder of the Department's line items of appropriation will each remain separate line items. These are: Emergency Services and Homeland Security; Peace Officer Standards and Training; Liquor Law Enforcement; Driver License*

*Division; and Utah Highway Safety.*

Public Safety - Emergency Services and Homeland Security

43. *The Legislature intends that funds provided for Emergency Services and Homeland Security shall not lapse.*

Public Safety - Peace Officers' Standards and Training

44. *The Legislature intends that funds provided for Peace Officers' Standards and Training shall not lapse.*

Public Safety - Liquor Law Enforcement

45. *The Legislature intends that funds provided for Liquor Law Enforcement shall not lapse.*

Public Safety - Driver License

46. *The Legislature intends that funds provided for the Driver License line item shall not lapse.*

Public Safety - Highway Safety

47. *The Legislature intends that funds provided for Highway Safety shall not lapse.*

Capital Facilities & Administrative Services

Capitol Preservation Board

48. *It is the intent of the Legislature that funds for the Capitol Preservation Board shall not lapse and that those funds shall be used for the design and construction costs associated with Capitol restoration.*

Administrative Services - Administrative Rules

49. *It is the intent of the Legislature that funds for Administrative Rules shall not lapse and that those funds may be used to fund a FTE or contract position on a temporary basis.*

Administrative Services - State Archives

50. *It is the intent of the Legislature that funds for state Archives shall not lapse and that those funds shall be used to digitize and microfilm documents generated by former Utah Governors for preservation and access.*

Administrative Services - Finance Administration

51. *It is the intent of the Legislature that funds for the Division of Finance shall not lapse.*

52. *It is the intent of the Legislature that funds for the Division of Finance that do not lapse are to be used for maintenance, operation, and development of statewide accounting systems.*

53. *It is the intent of the Legislature that the Department of Administrative Services develop and implement a mileage reimbursement program that requires agencies to reimburse employees for personal vehicle use at a rate equal to, or less than, the per mile cost of a mid-size sedan operated by the Division of Fleet Operations. It is also the intent of the Legislature that these rules be applied to Legislative Staff, the Judicial Branch and to the Utah System of Higher Education. The rule should make exception for instances where a State fleet vehicle is not available to the employee, for mileage reimbursements for Elected Officials of the State and members of Boards and Commissions who do not have access to the State fleet for use in their official duties.*

Administrative Services - Finance - Mandated

54. *It is the intent of the Legislature that funds for the LeRay McAllister fund shall not lapse.*

Administrative Services - Post Conviction Indigent Defense

55. *It is the intent of the Legislature that funds for the Post Conviction Indigent Defense Fund shall not lapse.*

#### Administrative Services - Judicial Conduct Commission

56. *It is the intent of the Legislature that funds for the Judicial Conduct Commission shall not lapse and that those funds shall be used to hire temporary contractors on an as-needed basis.*

#### ISF - Administrative Services - ISF - Information Technology Services

57. *It is the intent of the Legislature that Information Technology Services be allowed to add FTEs beyond the authorized level if it represents a benefit to the state and a decrease of FTEs in the user agency. The total FTEs within state government shall not change with this shift of FTEs. Prior to transferring FTEs to the Internal Service Fund, the Department of Administrative Services shall report to the Executive Appropriation Committee decreased personal service expenditures in the originating agency and corresponding increased Internal Service Fund charges that will result from the transfer.*

#### ISF - Administrative Services - ISF - Facilities Management

58. *It is the intent of the Legislature that DFCM's internal service fund may add FTEs beyond the authorized level if new facilities come on line or maintenance agreements are requested. Any added FTEs will be reviewed and approved by the Legislature in the next Legislative Session.*

#### Capital Budget - DFCM Capital Program

59. *Development Projects: \$2,801,000 to construct a new DWS employment center in Logan.*

#### Capital Budget - Property Acquisition

60. *Purchases: Up to \$250,000 for purchase of land in preparation for a new building in Carbon County.*

#### Debt Service

61. *It is the intent of the Legislature that DFCM is not required to collect rent from the Department of Corrections for the Promontory Facility in FY 2005 if the Legislature in the 2004 general session appropriates funds to debt service for FY 2005 to replace the uncollected rent.*

#### Tax Commission - Tax Administration

62. *The Legislature intends that these funds not lapse and that the balances carried forward be used for costs directly related to the modernization of tax and motor vehicle systems and processes.*
63. *It is the intent of the Legislature that the Tax Commission report to Commerce and Revenue Appropriations Sub-Committee interim meeting, the progress made towards the recommendations of the Legislative Auditor's Report #2003-08.*

#### Workforce Services

64. *The Legislature intends that these funds be non-lapsing.*
65. *To help the working poor and underemployed, the Legislature encourages the Department of Workforce Services to expand the trial implementation of longer office hours and to implement longer office hours when Department management finds it advisable.*
66. *The Legislature intends that \$2,160,000 in funds appropriated from the Unemployment Compensation Trust (Reed Act) be used for employment service administration.*
67. *It is the intent of the Legislature that Workforce Services seek opportunities to contract with private entities to provide services and programs usually provided by Workforce Services if the entities bring matching funds in a ratio of at least 2 to 1 and:*
- 1. A proven, tested and effective existing program*
  - 2. whose operation and administrative costs are already paid for;*
  - 3. has a professional paid staff; and*
  - 4. has flexibility in hours of operation.*

*It is the intent of the Legislature that the department report to executive appropriations the extent to which the department has contracted with private entities.*

Labor Commission

68. *The Legislature intends that funds collected from sponsoring seminars be non-lapsing so that the agency can offer yearly training seminars using the funds collected.*

Commerce - Commerce General Regulation

69. *The Legislature intends that at the end of the fiscal year, unused funds for the Committee on Consumer Services lapse to the Committee's Professional and Technical Services.*

Commerce - Public Utilities Professional & Technical Services

70. *The Legislature intends that these funds be non-lapsing.*
71. *The Legislature intends that the Department of Public Utilities use these funds to assess the impact of Public Service Commission decisions on Utah's business climate.*

Commerce - Committee of Consumer Services Professional and Technical Services

72. *It is the intent of the Legislature that these funds be non-lapsing.*

Insurance - Comprehensive Health Insurance Pool

73. *The Legislature intends to provide sufficient funding so that HIPUtah will not have to cap enrollment. If the amount appropriated is not sufficient, HIPUtah should request a supplemental appropriation in the next legislative session. The Legislature will give high priority to such a request.*

Commerce & Revenue

Utah College of Applied Technology - Administration

74. *It is the intent of the Legislature that UCAT complete and submits all financial reports (i.e. A-1's, R-1's, S-10's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year. It is further the intent of the Legislature that the approved consolidated budget request from the UCAT Board of Trustees be submitted to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*
75. *It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

Economic Development & Human Resources

Career Services Review Board - Career Service Review Board

76. *It is the intent of the Legislature that funding for Career Service Review Board be nonlapsing.*

## Human Resource Management

77. *It is the intent of the Legislature that health and dental insurance benefit increases be paid as recommended by Group Insurance, with the following changes:* □
1. *Transfer excess dental reserves to medical reserves;* □
  2. *Increase employee coinsurance for in patient and out patient facilities by 10%;* □
  3. *Implement a three-tiered coinsurance for pharmacy benefits and increase brand coinsurance from 25% to 30%;* □
  4. *Increase maximum out-of-pocket expense from \$1,500 per person to \$2,000 per person for single coverage, and from \$2,000 to \$4,000 for family coverage.*
78. *It is the intent of the Legislature that retirement rates be adjusted and paid as recommended by the State Retirement Board.*
79. *It is the intent of the Legislature to fund a 1% cost of living allowance for state employees effective June 19, 2004. It is the further intent of the legislature to appropriate one-time funds equivalent to a 1% COLA state-wide, but to be distributed as a one time bonus in December 2004 to each state employee, calculated on an FTE basis.*
80. *It is the intent of the Legislature to appropriate \$2,606,800 for state employee Market Comparability Adjustments as recommended by the Department of Human Resource Management. This is in addition to Highway Patrol and Attorney General salary equity funds included on the building blocks list.*
81. *It is the intent of the Legislature that the Utah Retirement Systems study the possibility of establishing a program whereby qualified Utah money managers could manage part of the State's retirement fund and report to the Legislature on any progress or with an explanation as to why such a program would not be in the best interest of the state and/or the fund to Executive Appropriations.*
82. *It is the intent of the Legislature that funding for Human Resource Management be non-lapsing subject to the provisions of UCA 63-38-8.1 with expenditures restricted to computer equipment and software purchases, employee training and incentives, and flexible benefits.*

## Community & Economic Development - Administration

83. *It is the intent of the Legislature that funding for Administration be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

## Community & Economic Development - Incentive Funds

84. *It is the intent of the Legislature that any proceeds in excess of a total of \$4,000,000 paid to the state from the liquidation of the Utah Technology Finance Corporation whether these proceeds come from cash, sale of real property, or collection of accounts receivable shall be deposited into the Industrial Assistance Fund.*
85. *It is the intent of the Legislature that funding for Incentive Funds be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

## Community & Economic Development - Indian Affairs

86. *It is the intent of the Legislature that funding for Indian Affairs be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - Business and Economic Development

87. *It is the intent of the Legislature that funding for Business Development be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - Travel Council

88. *It is the intent of the Legislature that funding for Travel Development be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - State History

89. *It is the intent of the Legislature that funding for State History be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - Fine Arts

90. *It is the intent of the Legislature that funding for Fine Arts be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - State Library

91. *It is the intent of the Legislature that funding for the State Library be non-lapsing subject to the provisions of UCA 63-38-8.1.*

*Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Community & Economic Development - Community Development

92. *It is the intent of the Legislature that the Permanent Community Impact Fund Board (PCIFB) consider distributing funding of \$385,000 in FY 2005 equally among the interlocal agencies that are or may be socially or economically impacted, directly or indirectly, by mineral resource development for: □*

*(i) planning; □*

*(ii) construction and maintenance of public facilities, and; □*

*(iii) provision of public services.*

93. *It is the intent of the Legislature that funding for Community Development be non-lapsing subject to the provisions of UCA 63-38-8.1.*

94. *Funds encumbered to pay contractual obligations issued prior to May 1 shall also be considered non-lapsing.*

Health - Health Systems Improvement

95. *It is the intent of the Legislature that the fees collected for the purpose of plan reviews by the Bureau of Licensing be considered nonlapsing.*

96. *It is the intent of the Legislature that civil money penalties collected for child care and health care provider violations be considered nonlapsing.*
97. *It is the intent of the Legislature that funds for the Primary Care Grants Program be considered nonlapsing.*
98. *It is the intent of the Legislature that funding for the Primary Care Grants Program not be expended for inter-departmental projects except for Community Partnered Mobile Dental Services.*

#### Health - Community & Family Health

99. *It is the intent of the Legislature that funding for alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs be considered nonlapsing.*

#### Health - Health Care Financing

100. *It is the intent of the Legislature that the Department of Health repeal its rule and that part of the state plan that requires nursing facilities to charge their private pay residents the same rate or more than the nursing facilities Medicaid reimbursement rate.*

#### Health - Medical Assistance

101. *It is the intent of the Legislature to improve the oral health status, and thereby improve the overall health of low-income Utahns through increased utilization and access to dental services for Medicaid recipients, especially people with disabilities and children. It is intended that this be accomplished as funding permits, by (1) increasing the participation of dentists in the Medicaid program by increasing the Medicaid reimbursement for dental services, (2) implementing a case management system to encourage more appropriate and timely access of Medicaid dental benefits by Medicaid recipients, and (3) implementing an early intervention/prevention and education program aimed at increasing the awareness of the importance of oral health among this population.*
102. *It is the intent of the Legislature that the Department of Health continue to reimburse nursing care facilities based on the Resources Utilization Group System (RUGS) which went into effect in FY 2003. It is further the intent of the Legislature that the Department maintain a rule which phases out over a three year period ending December 31, 2005, the component of property payments which is based on varying individual nursing facility property costs.*
103. *It is the intent of the Legislature to encourage the Department of Health to consider replacing the current property component of the Medicaid reimbursement system called Resource Utilization Groups (RUGS) with a fair rental market value model which compensates skilled and intermediate care facilities for capital improvements. It is further the intent of the Legislature to encourage the Department to consider that capital improvements recognized under the fair rental model not be based on traditional cost-based methods to calculate property rates or individual facility appraisal methodologies. It is the intent of the Legislature that the Department of Health report on the implementation of this program during the 2005 General Session.*
104. *It is the intent of the Legislature that \$3,576,500 (\$1,000,000 General Fund) in one-time FY 2005 funding be utilized for dental services for Medicaid clients who are aged, blind, or disabled. This funding is for root canals and related services. It is also the intent of the Legislature that the Department of Health discontinue these services any time during FY 2005 when this allocation is completely spent.*

#### Health & Human Services

##### Human Services - Executive Director Operations

105. *It is the intent of the Legislature that funds appropriated to the Office of Technology in the Executive Director Operations budget for e-REP enhancements are non-lapsing.*

##### Human Services - Svcs for People w/Disabilities

106. *It is the intent of the Legislature that funds appropriated for the home and community based services waiting list for people with disabilities be used exclusively for direct services and related support.*

107. *It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriations Subcommittee during the 2005 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including, but not limited to, administrators, supervisors and direct care workers.*
108. *It is the intent of the Legislature that rent collected from individuals who occupy state owned group homes be applied to the cost of maintaining these facilities. It is also the intent of the Legislature that the Division of Services for People with Disabilities provide an accounting of state owned group home rents and costs to the Legislature or Office of Legislative Fiscal Analyst.*
109. *It is the intent of the Legislature that in renewing contracts with private providers the Division of Services for People with Disabilities shall consider prevailing labor market conditions.*
110. *It is the intent of the Legislature that the Division of Services for People with Disabilities use non-lapsing funds carried over from FY 2004 to provide services for people needing emergency services, aging out of state custody, child welfare services and juvenile justice services, or being court ordered into DSPD services. It is further the intent of the Legislature that the Division will use generated budget savings to continue funding services for these people by FY 2006. The Division will report regularly to the Office of Legislative Fiscal Analyst on progress in the efforts to generate these cost savings.*

Human Services - Office of Recovery Services

111. *It is the intent of the Legislature that funds appropriated to the Office of Recovery Services for e-REP enhancements are non-lapsing.*

Human Services - Child and Family Services

112. *It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriations Subcommittee during the 2005 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including, but not limited to, administrators, supervisors and direct care workers.*
113. *It is the intent of the Legislature that funds appropriated for the Adoption Assistance program and the Out of Home Care program in the Division of Child and Family Services not lapse at the end of FY 2005. It is further the intent of the Legislature that these funds be used for Adoption Assistance and Out of Home Care programs.*

University of Utah - Education and General

114. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*
115. *It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*
116. *It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that any proposed formula reduce dependence on growth funding, link to measurable system-wide and institutional specific performance indicators, respond to changes in costs of*

*instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission. It is further the intent of the Legislature that the following policy and funding issues be included for consideration: (1) fuel and power rate increases; (2) operation and maintenance of new facilities; (4) financial aid; (5) second tier tuition; (6) developmental education; and (7) unfunded enrollment growth. It is also the intent of the Legislature that the proposed funding mechanism including the plan for eliminating the back log of unfunded enrollment be implemented by FY 2007.*

117.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

118.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

119.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

120.

*It is the intent of the Legislature that presidents be allowed to use the second-tier tuition to cover institutional needs on the USHE campuses. It is also the intent of the Legislature that, undergraduate tuition increases for the second-tier not exceed the proposed percentages for each campus for FY 2005 as noted: University of Utah 7%, Utah State University 6%, Weber State University 7%, Southern Utah University 8%, Snow College 6%, Dixie State College 5%, College of Eastern Utah 5%, Utah Valley State College 11.5%, and Salt Lake Community College 5%.*

121.

*It is the intent of the Legislature that the institutions of higher education be given full flexibility to address the \$34,670,900 that had been previously identified by the Higher Education Appropriations Subcommittee as the targets of reallocating funds for the cost for fuel and power (\$21,372,600), operation and maintenance of new facilities (\$2,444,400), and student growth (\$10,853,900), except as appropriated by the Legislature for FY 2005.*

*It is also the intent of the Legislature that the \$34,670,900 identified shall be the value used to offset future funding considerations for fuel and power, operations and maintenance of new facilities, and student growth, as allocated by the Commissioner of Higher Education in consultation with institutional presidents.*

122.

*It is the intent of the Legislature that the institutions receiving nursing initiative funding provide a one to one match through internal reallocations or from private donations.*

University of Utah - School of Medicine

123.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

124.

*In order to assure the Legislature that the University of Utah's School of Medicine is selecting and graduating the most highly qualified and competent doctors for the citizens of Utah, it is the intent of the*

*Legislature that the University of Utah's School of Medicine present a report to the Higher Education Appropriation Subcommittee on their full implementation of admission standards, policies and practices.*

University of Utah - University Hospital

125.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

126.

*It is the intent of the Legislature that the Miners' Hospital pays \$100,000 for the disabled miners' settlement from the Land Grant Trust Fund until 2008. It is further the intent of the Legislature that the Miners' Hospital prepare an annual report documenting the service provided to disabled miners and an accounting of the Land Grant Management Funds. It is further the intent of the Legislature that these funds shall not be used to subsidize the Orem Clinic of the University Hospitals and Clinics.*

University of Utah - Poison Control Center

127.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Education and General

128.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

129.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

130.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that any proposed formula reduce dependence on growth funding, link to measurable system-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission. It is further the intent of the Legislature that the following policy and funding issues be included for consideration: (1) fuel and power rate increases; (2) operation and maintenance of new facilities; (4) financial aid; (5) second tier tuition; (6) developmental education; and (7) unfunded enrollment growth. It is also the intent of the Legislature that the proposed funding mechanism including the plan for eliminating the back log of unfunded enrollment be implemented by FY 2007.*

131.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

132.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

133.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

134. *It is the intent of the Legislature that presidents be allowed to use the second-tier tuition to cover institutional needs on the USHE campuses. It is also the intent of the Legislature that, undergraduate tuition increases for the second-tier not exceed the proposed percentages for each campus for FY 2005 as noted: University of Utah 7%, Utah State University 6%, Weber State University 7%, Southern Utah University 8%, Snow College 6%, Dixie State College 5%, College of Eastern Utah 5%, Utah Valley State College 11.5%, and Salt Lake Community College 5%.*

135. *It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

136. *It is the intent of the Legislature that to the extent allowed by law, Utah State University may include in its annual fuel and power budget request the payments to be made under an Energy Savings Agreement entered into under the authority of Section 63-9-67 for a Cogeneration and Central Chilled Water Plant.*

137. *It is the intent of the Legislature that the institutions of higher education be given full flexibility to address the \$34,670,900 that had been previously identified by the Higher Education Appropriations Subcommittee as the targets of reallocating funds for the cost for fuel and power (\$21,372,600), operation and maintenance of new facilities (\$2,444,400), and student growth (\$10,853,900), except as appropriated by the Legislature for FY 2005.*

*It is also the intent of the Legislature that the \$34,670,900 identified shall be the value used to offset future funding considerations for fuel and power, operations and maintenance of new facilities, and student growth, as allocated by the Commissioner of Higher Education in consultation with institutional presidents.*

Utah State University - Uintah Basin Continuing Education Center

138. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Southeastern Utah Continuing Education Center

139. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Brigham City Continuing Education Center

140. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Tooele Continuing Education Center

141. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Water Research Laboratory

142.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Agricultural Experiment Station

143.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Utah State University - Cooperative Extension

144.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Weber State University - Education and General

145.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

146.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

147.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that any proposed formula reduce dependence on growth funding, link to measurable system-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission. It is further the intent of the Legislature that the following policy and funding issues be included for consideration: (1) fuel and power rate increases; (2) operation and maintenance of new facilities; (4) financial aid; (5) second tier tuition; (6) developmental education; and (7) unfunded enrollment growth. It is also the intent of the Legislature that the proposed funding mechanism including the plan for eliminating the back log of unfunded enrollment be implemented by FY 2007.*

148.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

149.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

150.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee*

*for employee compensation.*

151. *It is the intent of the Legislature that presidents be allowed to use the second-tier tuition to cover institutional needs on the USHE campuses. It is also the intent of the Legislature that, undergraduate tuition increases for the second-tier not exceed the proposed percentages for each campus for FY 2005 as noted: University of Utah 7%, Utah State University 6%, Weber State University 7%, Southern Utah University 8%, Snow College 6%, Dixie State College 5%, College of Eastern Utah 5%, Utah Valley State College 11.5%, and Salt Lake Community College 5%.*
152. *It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*
153. *It is the intent of the Legislature that the institutions of higher education be given full flexibility to address the \$34,670,900 that had been previously identified by the Higher Education Appropriations Subcommittee as the targets of reallocating funds for the cost for fuel and power (\$21,372,600), operation and maintenance of new facilities (\$2,444,400), and student growth (\$10,853,900), except as appropriated by the Legislature for FY 2005.*
- It is also the intent of the Legislature that the \$34,670,900 identified shall be the value used to offset future funding considerations for fuel and power, operations and maintenance of new facilities, and student growth, as allocated by the Commissioner of Higher Education in consultation with institutional presidents.*
154. *It is the intent of the Legislature that the institutions receiving nursing initiative funding provide a one to one match through internal reallocations or from private donations.*

Southern Utah University - Education and General

155. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*
156. *It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*
157. *It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that any proposed formula reduce dependence on growth funding, link to measurable system-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission. It is further the intent of the Legislature that the following policy and funding issues be included for consideration: (1) fuel and power rate increases; (2) operation and maintenance of new facilities; (4) financial aid; (5) second tier tuition; (6) developmental education; and (7) unfunded enrollment growth. It is also the intent of the Legislature that the proposed funding mechanism including the plan for eliminating the back log of unfunded enrollment be implemented by FY 2007.*
158. *It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*
159. *It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and*

*power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

160.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

161.

*It is the intent of the Legislature that presidents be allowed to use the second-tier tuition to cover institutional needs on the USHE campuses. It is also the intent of the Legislature that, undergraduate tuition increases for the second-tier not exceed the proposed percentages for each campus for FY 2005 as noted: University of Utah 7%, Utah State University 6%, Weber State University 7%, Southern Utah University 8%, Snow College 6%, Dixie State College 5%, College of Eastern Utah 5%, Utah Valley State College 11.5%, and Salt Lake Community College 5%.*

162.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

163.

*It is the intent of the Legislature that the institutions of higher education be given full flexibility to address the \$34,670,900 that had been previously identified by the Higher Education Appropriations Subcommittee as the targets of reallocating funds for the cost for fuel and power (\$21,372,600), operation and maintenance of new facilities (\$2,444,400), and student growth (\$10,853,900), except as appropriated by the Legislature for FY 2005.*

*It is also the intent of the Legislature that the \$34,670,900 identified shall be the value used to offset future funding considerations for fuel and power, operations and maintenance of new facilities, and student growth, as allocated by the Commissioner of Higher Education in consultation with institutional presidents.*

164.

*It is the intent of the Legislature that the institutions receiving nursing initiative funding provide a one to one match through internal reallocations or from private donations.*

Snow College - Education and General

165.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

166.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

167.

*It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that any proposed formula reduce dependence on growth funding, link to measurable system-wide and institutional specific performance indicators, respond to changes in costs of*

*instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission. It is further the intent of the Legislature that the following policy and funding issues be included for consideration: (1) fuel and power rate increases; (2) operation and maintenance of new facilities; (4) financial aid; (5) second tier tuition; (6) developmental education; and (7) unfunded enrollment growth. It is also the intent of the Legislature that the proposed funding mechanism including the plan for eliminating the back log of unfunded enrollment be implemented by FY 2007.*

168.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

169.

*It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

170.

*It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

171.

*It is the intent of the Legislature that presidents be allowed to use the second-tier tuition to cover institutional needs on the USHE campuses. It is also the intent of the Legislature that, undergraduate tuition increases for the second-tier not exceed the proposed percentages for each campus for FY 2005 as noted: University of Utah 7%, Utah State University 6%, Weber State University 7%, Southern Utah University 8%, Snow College 6%, Dixie State College 5%, College of Eastern Utah 5%, Utah Valley State College 11.5%, and Salt Lake Community College 5%.*

172.

*It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

173.

*It is the intent of the Legislature that the institutions of higher education be given full flexibility to address the \$34,670,900 that had been previously identified by the Higher Education Appropriations Subcommittee as the targets of reallocating funds for the cost for fuel and power (\$21,372,600), operation and maintenance of new facilities (\$2,444,400), and student growth (\$10,853,900), except as appropriated by the Legislature for FY 2005.*

*It is also the intent of the Legislature that the \$34,670,900 identified shall be the value used to offset future funding considerations for fuel and power, operations and maintenance of new facilities, and student growth, as allocated by the Commissioner of Higher Education in consultation with institutional presidents.*

Snow College - Snow College - ATE

174. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

Dixie State College - Education and General

175. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*
176. *It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*
177. *It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that any proposed formula reduce dependence on growth funding, link to measurable system-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission. It is further the intent of the Legislature that the following policy and funding issues be included for consideration: (1) fuel and power rate increases; (2) operation and maintenance of new facilities; (4) financial aid; (5) second tier tuition; (6) developmental education; and (7) unfunded enrollment growth. It is also the intent of the Legislature that the proposed funding mechanism including the plan for eliminating the back log of unfunded enrollment be implemented by FY 2007.*
178. *It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*
179. *It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*
180. *It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*
181. *It is the intent of the Legislature that presidents be allowed to use the second-tier tuition to cover institutional needs on the USHE campuses. It is also the intent of the Legislature that, undergraduate tuition increases for the second-tier not exceed the proposed percentages for each campus for FY 2005 as noted: University of Utah 7%, Utah State University 6%, Weber State University 7%, Southern Utah University 8%, Snow College 6%, Dixie State College 5%, College of Eastern Utah 5%, Utah Valley State College 11.5%, and Salt Lake Community College 5%.*
182. *It is the intent of the Legislature that a study be performed of applied technology education in the state with the Utah System of Higher Education, Public Education, and the Utah College of Applied Technology, by*

*the Office of the Legislative Fiscal Analyst in conjunction with the Governor's Office of Planning and Budget. It is further the intent of the Legislature that a written report be presented by October of 2005 to the Executive Appropriation Committee, and also reported to the appropriate Legislative Appropriation Subcommittees during the 2006 General Session.*

183. *It is the intent of the Legislature that the institutions of higher education be given full flexibility to address the \$34,670,900 that had been previously identified by the Higher Education Appropriations Subcommittee as the targets of reallocating funds for the cost for fuel and power (\$21,372,600), operation and maintenance of new facilities (\$2,444,400), and student growth (\$10,853,900), except as appropriated by the Legislature for FY 2005.*

*It is also the intent of the Legislature that the \$34,670,900 identified shall be the value used to offset future funding considerations for fuel and power, operations and maintenance of new facilities, and student growth, as allocated by the Commissioner of Higher Education in consultation with institutional presidents.*

184. *It is the intent of the Legislature that the institutions receiving nursing initiative funding provide a one to one match through internal reallocations or from private donations.*

College of Eastern Utah - Education and General

185. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

186. *It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

187. *It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that any proposed formula reduce dependence on growth funding, link to measurable system-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission. It is further the intent of the Legislature that the following policy and funding issues be included for consideration: (1) fuel and power rate increases; (2) operation and maintenance of new facilities; (4) financial aid; (5) second tier tuition; (6) developmental education; and (7) unfunded enrollment growth. It is also the intent of the Legislature that the proposed funding mechanism including the plan for eliminating the back log of unfunded enrollment be implemented by FY 2007.*

188. *It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

189. *It is the intent of the Legislature that the State Board of Regents be directed to closely supervise the fuel and power budgets with the intent of promoting greater energy efficiency on each campus. It is also the intent of the Legislature that the Board of Regents report during the interim to the Subcommittee on Higher Education on the implementation of long term plans to control and manage energy costs. It is further the intent of the Legislature, that the energy work group consisting of members from higher education, the Office of the Legislative Fiscal Analyst, the Governor's Office of Planning and Budget, and Utah Energy Office continue to develop a viable plan to manage the energy costs for all State entities including higher and public education, and report to the Higher Education Appropriation Subcommittee in the interim.*

190. *It is the intent of the Legislature that the proposed 4.5 percent first tier tuition increase for FY 2005 be reduced by 1.5 percent. The remaining 3.0 percent tuition increase shall be used to cover the compensation*

*package. It is also the intent of the Legislature that the Fiscal Analyst's Office be directed to make other adjustments to the 1st-tier tuition rate to reflect the final decision of the Executive Appropriation Committee for employee compensation.*

191. *It is the intent of the Legislature that presidents be allowed to use the second-tier tuition to cover institutional needs on the USHE campuses. It is also the intent of the Legislature that, undergraduate tuition increases for the second-tier not exceed the proposed percentages for each campus for FY 2005 as noted: University of Utah 7%, Utah State University 6%, Weber State University 7%, Southern Utah University 8%, Snow College 6%, Dixie State College 5%, College of Eastern Utah 5%, Utah Valley State College 11.5%, and Salt Lake Community College 5%.*

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194. *It is the intent of the Legislature that the institutions receiving nursing initiative funding provide a one to one match through internal reallocations or from private donations.*

#### College of Eastern Utah - San Juan Center

195. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

#### Utah Valley State College - Education and General

196. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

197. *It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

198. *It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that any proposed formula reduce dependence on growth funding, link to measurable system-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission. It is further the intent of the Legislature that the following policy and funding issues be included for consideration: (1) fuel and power rate increases; (2) operation and maintenance of new facilities; (4) financial aid; (5) second tier tuition; (6) developmental education; and (7) unfunded enrollment growth. It is also the intent of the Legislature that the proposed funding mechanism including the plan for eliminating the*

*back log of unfunded enrollment be implemented by FY 2007.*

199.

*It is the intent of the Legislature that the USHE complete and submit all financial reports (i.e. A-1's, R-1's, S-10's, and S-12's, etc.) to the Office of the Legislative Fiscal Analyst by November 1 of each fiscal year.*

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205.

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Salt Lake Community College - Education and General

206.

*It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

207.

*It is the intent of the Legislature that all Utah System of Higher Education institutions use facility operation*

*and maintenance (O&M) funding consistent with State Agencies and only for O&M purposes.*

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215. *It is the intent of the Legislature that the institutions receiving nursing initiative funding provide a one to one match through internal reallocations or from private donations.*

Salt Lake Community College - Skill Center

216. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

State Board of Regents - Administration

217. *It is the intent of the Legislature that any salary increases be distributed to faculty, professional and classified employees in an equitable manner.*

218. *It is the intent of the Legislature that the Council of Presidents and representatives of the Board of Regents working in conjunction with legislators, the Legislative Fiscal Analyst and a representative of the Governor's Office review and refine the funding formula for the Utah System of Higher Education. It is the intent of the Legislature that any proposed formula reduce dependence on growth funding, link to measurable system-wide and institutional specific performance indicators, respond to changes in costs of instruction due to the implementation of technology or the utilization of cost saving measures, and respond to market demand and student performance as well as recognized differences in institutional roles and mission. It is further the intent of the Legislature that the following policy and funding issues be included for consideration: (1) fuel and power rate increases; (2) operation and maintenance of new facilities; (4) financial aid; (5) second tier tuition; (6) developmental education; and (7) unfunded enrollment growth. It is also the intent of the Legislature that the proposed funding mechanism including the plan for eliminating the back log of unfunded enrollment be implemented by FY 2007.*

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*It is also the intent of the Legislature that the \$34,670,900 identified shall be the value used to offset future funding considerations for fuel and power, operations and maintenance of new facilities, and student growth, as allocated by the Commissioner of Higher Education in consultation with institutional presidents.*

#### State Board of Regents - Nursing Initiative

225. *It is the intent of the Legislature that the institutions receiving nursing initiative funding provide a one to one match through internal reallocations or from private donations.*

#### State Board of Regents - Utah Academic Library Consortium

226.

*It is the intent of the Legislature that the State Board of Regents in consultation with the Utah Academic Library Consortium should coordinate the acquisition of library materials for the ten USHE institutions.*

#### Higher Education

##### Utah Education Network

227. *The Legislature intends that the Utah Education Network pursue the following performance goals in Fiscal Year 2005:*

*Internet Bandwidth Utilization: 65% of Capacity;*

*Network Health: 99% Reliability;*

*Technology Delivered Instruction: 3,100 FTE Student; and*

*Web Resources: 6,000,000 Visitors to Top 25 Sites.*

#### Natural Resources

##### Natural Resources - Administration

228. *It is the intent of the Legislature that ongoing funding for the Bear Lake Regional Commission be expended only as a one-to-one match with funds from the State of Idaho. The \$40,000 one-time General Fund appropriation in FY 2005 does not require a match from the State of Idaho.*

##### Natural Resources - Species Protection

229. *It is the intent of the Legislature that the Department of Natural Resources report to the Natural Resources, Agriculture, and Environment Interim Committee on or before their November, 2004 meeting, providing detailed information on how funds are expended for the Colorado River, June Sucker, and Virgin River plans, including detailed information on contracts issued, deliverables required, and deliverables accomplished.*

Natural Resources - Forestry, Fire and State Lands

230. *It is the intent of the Legislature to allow the Department of Natural Resources (DNR) to expand its motor pool fleet by three vehicles in FY 2005. These three vehicles are specialized equipment used by the Division of Forestry, Fire and State Lands in firefighting activities. In order for the Division of Forestry, Fire and State Lands to purchase these vehicles, it must provide up to \$204,000 of contributed capital to the DNR Motor Pool Internal Service Fund.*

Natural Resources - Oil, Gas and Mining

231. *It is the intent of the Legislature that the appropriation to the Minerals Reclamation Program be nonlapsing.*

Natural Resources - Wildlife Resources

232. *The prolonged drought in Utah has negatively impacted populations of mule deer, with many units being well below management plan objectives. On these units, it is the intent of the Legislature that the Division of Wildlife Resources consider refraining from issuing doe mitigation permits in rangeland depredation situations, and consider, to the extent possible, using other means to compensate landowners for damage to cultivated crops caused by migrating deer.*
233. *It is the intent of the Legislature that the Habitat Council and the Blue Ribbon Fisheries Advisory Council advise the division director and recommend expenditure of resources toward a three-year pilot walk-in access program.*
234. *The Legislature intends that up to \$500,000 of this budget may be used for big game depredation expenditures. The Legislature also intends that half of these funds shall be from the General Fund Restricted - Wildlife Resources Account and half from the General Fund. This funding shall be nonlapsing.*
235. *It is the intent of the Legislature that the Division of Wildlife Resources use revenues generated by sportsmen exclusively for costs associated with the management, enhancement, and administration of game species and their habitats.*
236. *It is the intent of the Legislature that the Division of Wildlife Resources enter into a contract with the Department of Agriculture and Food for the purpose of providing predator control. The contract shall consist of \$500,000 annually in General Funds, with \$150,000 being used to match funds from local governments and \$350,000 being used to supplement the amount required by UCA 4-23-9(2). Under direction from the Division of Wildlife Resources, the Department of Agriculture and Food shall direct these funds to areas of the state not meeting deer herd management objectives consistent with the Utah Wildlife Board predator policy.*
237. *It is the intent of the Legislature that up to \$250,000 be spent on the Community Fisheries Program. These funds shall be nonlapsing.*
238. *It is the intent of the Legislature that the division spend a minimum of \$265,000 to improve deer herds according to management plan objectives.*
239. *It is the intent of the Legislature that up to \$500,000 be spent on the Blue Ribbon Fisheries Program. These funds shall be nonlapsing.*
240. *It is the intent of the Legislature that individual income tax contributions to the Wolf Depredation and Management Restricted Account shall be nonlapsing and spent by the Division of Wildlife Resources as follows: 1) The division shall fully and expeditiously compensate livestock owners, up to the amount of funds available, for all wolf depredation damage realized during the fiscal year. Up to \$20,000 shall carry forward to the next fiscal year if not spent during the current fiscal year for this purpose. 2) Donations in excess of \$20,000 and not otherwise expended or carried forward as required above, shall be available for wolf management expenditures.*
241. *It is the intent of the Legislature that appropriations from the General Fund Restricted - Wildlife Habitat Account be nonlapsing.*

Natural Resources - Contributed Research

242. *It is the intent of the Legislature that the appropriation to the Contributed Research program be nonlapsing.*

Natural Resources - Cooperative Env Studies

243. *It is the intent of the Legislature that the appropriation to the Cooperative Environmental Studies program be nonlapsing.*

Natural Resources - Wildlife Resources Capital

244. *It is the intent of the Legislature that the Division of Wildlife Resources - Capital Budget be nonlapsing.*

245. *It is the intent of the Legislature that any funds expended from the GFR - Wildlife Resources Trust Account for constructing a building in Price be paid back to the account over a period not to exceed twenty years and at an interest rate not less than three percent.*

Natural Resources - Parks & Recreation

246. *It is the intent of the Legislature that the Division of Parks and Recreation provide a management fee to the This is the Place Foundation not to exceed \$700,000.*

Natural Resources - Parks & Recreation Capital

247. *It is the intent of the Legislature that no portion of a golf course or other improvements constructed at Soldier Hollow infringe upon space designated for winter or summer biathlon or cross-country events including the safety zones necessary for the safe operation of the biathlon rifle range.*

248. *It is the intent of the Legislature that the Division of Parks and Recreation - Capital Budget be nonlapsing.*

Natural Resources - Utah Geological Survey

249. *It is the intent of the Legislature that the Utah Geological Survey's Mineral Lease funds be nonlapsing.*

Natural Resources - Water Resources

250. *It is the intent of the Legislature that the appropriation to the Cooperative Water Conservation Program be nonlapsing.*

ISF - Natural Resources - ISF - DNR Internal Service Funds

251. *It is the intent of the Legislature that, if funding is available, the Utah Geological Survey may pay up to \$200,000 in contributed capital to the Natural Resources Warehouse Internal Service Fund in order to pay down their existing debt on the Core Sample Library.*

Agriculture - Administration

252. *It is the intent of the Legislature that funds collected in the Organic Certification Program be nonlapsing.*

253. *It is the intent of the Legislature that the Brand Bureau seek information on the creation of reciprocal fee agreements with neighboring states. This is an effort to eliminate the double inspection charge sometimes incurred in crossing the state border.*

254. *It is the intent of the Legislature that the appropriation for conservation easements, whether granted to charitable organizations specified under UCA 57-18-3 or held by the Department of Agriculture and Food, be used to conserve agricultural lands and be nonlapsing.*

255. *It is the intent of the Legislature that the appropriation to the Grain Inspection Program be nonlapsing.*

256. *It is the intent of the Legislature that the appropriation to the Agricultural Inspection Program be nonlapsing.*

Agriculture - Utah State Fair Corporation

257. *It is the intent of the Legislature that the appropriation to the Utah State Fair Corporation be nonlapsing.*

#### Agriculture - Predatory Animal Control

258. *It is the intent of the Legislature that the Division of Wildlife Resources enter into a contract with the Department of Agriculture and Food for the purpose of providing predator control. The contract shall consist of \$500,000 annually in General Funds, with \$150,000 being used to match funds from local governments and \$350,000 being used to supplement the amount required by UCA 4-23-9(2). Under direction from the Division of Wildlife Resources, the Department of Agriculture and Food shall direct these funds to areas of the state not meeting deer herd management objectives consistent with the Utah Wildlife Board predator policy.*
259. *It is the intent of the Legislature that the appropriation to the Predatory Animal Control program be nonlapsing.*

#### Agriculture - Resource Conservation

260. *It is the intent of the Legislature that the appropriation to the Resource Conservation program be nonlapsing.*
261. *It is the intent of the Legislature that the Soil Conservation Districts submit annual reports documenting supervisory expenses to the Legislative Fiscal Analyst, the Office of Planning and Budget, and the Soil Conservation Commission. It is also the intent of the Legislature that these documents be reviewed and reported to the Governor and the 2005 Legislature.*
262. *It is the intent of the Legislature that funding approved for Soil Conservation District elections be nonlapsing and be spent only during even-numbered years when elections take place.*

#### Public Education

##### State Board of Education - State Office of Education

263. *It is the intent of the legislature to comply with the provisions of House Bill 78, 2004 General Session, that the appropriation in the Senate Bill 1, 2004 General Session, Appropriations Act, Item 210, for School LAND Trust Administration is from the Interest and Dividends Account within the Uniform School Fund.*
264. *It is the intent of the Legislature that the State Board of Education submit a Teacher Licensing Fee Plan, consistent with UCA 63-38-3.2, in its FY 2006 budget request to the Governor and the Legislature that provides enough fee revenue to fund operations of the Educator Licensing Section at the State Office of Education without the use of Uniform School Funds.*
265. *It is the intent of the Legislature that substantial effort be made by the State Superintendent and the State School Board to combine the services of USDB and the Jean Massieu Charter School for the deaf. This shall include instruction in American Sign Language as well as bi-lingual and bi-cultural education which will receive administrative support. Representatives from Jean Massieu shall be integrated in a meaningful way into the USDB Institutional Council.*

*The State Superintendent shall report to the Education Interim Committee in September 2004 regarding the progress of this intent. If necessary the Education Interim Committee may make recommendations regarding continued funding of Jean Massieu until integration is complete.*

266. *It is the intent of the Legislature that the USOE continue with the state instructional materials correlation process and recommends the USOE to contract a review body that has satisfied the Interim Education Committee's RFP process, to conduct reviews of instructional materials to provide a complete correlation to the State core curriculum prior to the time the USOE, districts, schools, and teachers purchase instructional materials.*

*The third party review body shall report the results of the correlation through an online system to make its correlation findings available for review and application by all teachers in the state.*

*The cost of the review process shall be born by the publishers of instructional materials.*

State Board of Education - School for the Deaf and Blind

267. *It is the intent of the Legislature that the State Board of Education, in conjunction with the finance director and USDB Superintendent, directly oversee the calculation of the teacher salary adjustments detailed in UCA 53A-25-111. Further, this calculation should be presented to the State Board of Education for formal approval in time to be included in the FY 2006 budget request for the agency. A report shall be submitted for review to the Governor's Office of Planning and Budget and the Office of the Legislative Fiscal Analyst detailing how the annual salary adjustment was derived.*
268. *It is the intent of the Legislature that beginning July 1, 2004 that the fiscal management of the Utah Schools for the Deaf and Blind be placed in the Utah State Office of Education. It is further the intent of the Legislature that the State Board of Education provide oversight of USDB operations and finances.*
269. *It is the intent of the Legislature that the Utah Schools for the Deaf and Blind, in conjunction with the State Board of Education, report to the interim Public Education Appropriations Subcommittee detailing the implementation of the Legislative audit recommendations. This report shall be delivered before November 31, 2004.*
270. *It is the intent of the Legislature that substantial effort be made by the State Superintendent and the State School Board to combine the services of USDB and the Jean Massieu Charter School for the deaf. This shall include instruction in American Sign Language as well as bi-lingual and bi-cultural education which will receive administrative support. Representatives from Jean Massieu shall be integrated in a meaningful way into the USDB Institutional Council.*

*The State Superintendent shall report to the Education Interim Committee in September 2004 regarding the progress of this intent. If necessary the Education Interim Committee may make recommendations regarding continued funding of Jean Massieu until integration is complete.*

State Board of Education - USDB - Institutional Council

271. *It is the intent of the Legislature that the State Board of Education, in consultation with the USDB Institutional Council, define the appropriate use of the USDB Trust Land Funds. The definition should include any restrictions on the use of Trust Land Funds as well as a specific plan outlining the use of the closing non-lapsing balances held by the line item, and report back to the Public Education Appropriations Subcommittee before the 2005 General Session.*

State Board of Education - Fine Arts and Sciences

272. *The State Board of Education shall make rules governing the eligibility, funding distribution, and reporting requirements of the Fine Arts and Sciences programs.*
273. *It is the intent of the Legislature that the entities receiving funds under this line item and the RFP receive at least the same allocation as the previous years allocation from this fund providing that: 1) They continue to provide the same level of service or greater; and 2) They meet all of the necessary requirements applicable to other groups participating in the programs.*

Minimum School Program

274. *It is the intent of the Legislature that the funds appropriated in FY 2004 to the Electronic High School shall be non-lapsing. These funds shall be used to fund growth needs in the current year and fund anticipated growth in the 2004-2005 school year.*
275. *It is the intent of the legislature to comply with the provisions of House Bill 78, 2004 General Session, that the appropriation in the Senate Bill 3, 2004 General Session, Minimum School Program Act Amendments, 53a-17a-104(y), for the School LAND Trust Program is from the Interest and Dividends Account within the Uniform School Fund.*
276. *It is the intent of the Legislature to recognize the additional cost of training and or testing related to being recognized as a "Highly Qualified Teacher" and encourage the state and local school districts to give consideration to funding the additional out of pocket expense that current certified teachers will be asked to*

*bear a high priority. This funding should be part of the Quality Teaching Block Grant.*

277. *The State Office of Education shall use up to \$1,044,000 of funding provided for new growth to fund additional growth needs in charter schools in FY 2005.*
278. *It is the intent of the Legislature that \$2,500,000 for the Performance Plus Reading Initiative is one-time for Fiscal Year 2005, with the understanding that the Legislature will consider ongoing funding in subsequent years.*
279. *It is the intent of the Legislature that the Davis School District may commit any excess capital funds to the completion of the Woods Cross High School soccer field.*

ISF - Public Education - ISF - USOE Internal Service Fund

280. *Rates for the USOE Internal Service Fund are as follows:  
Printing: \$17.00 per hour labor; \$0.04 per copy; cost plus 35 percent on printing supplies, Mail Room:  
cost plus 25 percent on postage.*

ISF - Public Education - ISF - USOE Indirect Cost Pool

281. *Rates for the USOE Indirect Cost Pool are as follows: 13 percent of personal services costs supported by restricted funds and 19 percent of personal services costs supported by unrestricted funds.*

Transportation & Environmental Quality

National Guard - Utah National Guard

282. *It is the intent of the Legislature that funds appropriated to the Veterans' Affairs Program be nonlapsing.*
283. *It is the intent of the Legislature that funds appropriated to the Veterans' Nursing Home be nonlapsing.*
284. *It is the intent of the Legislature that the Division of Facilities Construction and Management provide maintenance services to the Utah National Guard only to the extent that funding is provided by the Utah National Guard.*
285. *It is the intent of the Legislature that funds appropriated to the Veterans' Cemetery be nonlapsing.*

Environmental Quality

286. *It is the intent of the Legislature that any unexpended funds in the Air Operating Permit Program are nonlapsing and authorized for use in the Air Operating Permit Program in FY 2005 to reduce emission fees.*
287. *It is the intent of the Legislature that any unexpended Groundwater Permit Administration fees are nonlapsing and authorized for use in the Groundwater Permit Administration Program in the following fiscal year to reduce the fees charged.*

Transportation - Engineering Services

288. *It is the intent of the Legislature that the Department of Transportation continue to review its policies, practices, and procedures in an effort to increase efficiencies and effectiveness.*

*It is the intent of the Legislature that the Department make a report to the Appropriations Subcommittee for Transportation, Environmental Quality, and National Guard prior to the General 2005 Legislative Session, indicating the efficiencies and cost reductions that have been achieved and those that are anticipated as a result of implementing these improvement actions.*

*It is the intent of the Legislature that the Department of Transportation, in conjunction with these improvement initiatives, be given authorization to adjust the assignment of FTE positions between line items as may be necessary in order to achieve the objectives of this plan. Such reassignments of FTE positions will be included in the report to the Appropriations Subcommittee for Transportation, Environmental Quality, and National Guard and Transportation Interim Committee and any transfer of funding will be facilitated through a supplemental appropriations request in the 2005 Session.*

#### Transportation - Maintenance Management

289. *It is the intent of the Legislature that any and all collections or cash income from the sale or salvage of land and buildings are to be lapsed to the Transportation Fund.*
290. *It is the intent of the Legislature that there is appropriated to the Department of Transportation from the Transportation Fund, not otherwise appropriated, a sum sufficient, but not more than the surplus of the Transportation Fund, to be used by the Department for the construction, rehabilitation, and preservation of State highways in Utah.*

*It is the intent of the Legislature that the appropriation fund first, a maximum participation with the federal government for the construction of federally designated highways, as provided by law, and last, the construction of State highways, as funding permits.*

*It is also the intent of the Legislature that the FTEs for field crews may be adjusted to accommodate the increase or decrease in the Federal Construction Program. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance or increase the appropriations otherwise made by this act to the Department of Transportation for other purposes.*

291. *It is the intent of the Legislature that if savings in the snow removal budget can be identified at the Department of Transportation for FY 2005 the Department can redirect those funds from expenditures for environmental issues not to exceed \$200,000 and land purchases for new maintenance stations not to exceed \$500,000. The Legislature also intends that the Department of Transportation will report to the Subcommittee for Transportation, Environmental Quality, and National Guard during the 2005 General Session where those funds were expended.*

*It is the intent of the Legislature that these funds be considered nonlapsing.*

#### Transportation - Construction Management

292. *It is the intent of the Legislature that there is appropriated to the Department of Transportation from the Transportation Fund, not otherwise appropriated, a sum sufficient, but not more than the surplus of the Transportation Fund, to be used by the Department for the construction, rehabilitation, and preservation of State highways in Utah.*

*It is the intent of the Legislature that the appropriation fund first, a maximum participation with the federal government for the construction of federally designated highways, as provided by law; next the rehabilitation and preservation of State highways, as provided by law, and last, the construction of State highways, as funding permits.*

*It is also the intent of the Legislature that the FTEs for field crews may be adjusted to accommodate the increase or decrease in the Federal Construction Program. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance or increase the appropriations otherwise made by this act to the Department of Transportation for other purposes.*

293. *It is the intent of the Legislature that \$1,500,000 of the Transportation Bond proceeds be used to fund the balance of the Union Pacific switching station on State Route 21 at Milford, Utah.*

#### Transportation - Safe Sidewalk Construction

294. *It is the intent of the Legislature that the funds appropriated from the Transportation Fund for pedestrian safety projects be used specifically to correct pedestrian hazards on State highways.*

*It is also the intent of the Legislature that local authorities be encouraged to participate in the construction of pedestrian safety devices. The appropriated funds are to be used according to the criteria set forth in Section 72-8-104, Utah Code Annotated, 1953. The funds appropriated for sidewalk construction shall not lapse.*

*If local governments cannot use their allocation of Sidewalk Safety Funds in two years, these funds will then be available for other governmental entities which are prepared to use the resources.*

*It is the intent of the Legislature that local participation in the Sidewalk Construction Program be on a 75% state and 25% local match basis.*

#### Transportation - Mineral Lease

295. *It is the intent of the Legislature that the funds appropriated from the Federal Mineral Lease Account shall be used for improvement or reconstruction of highways that have been heavily impacted by energy development. It is also the intent of the Legislature that private industries engaged in developing the State's natural resources be encouraged to participate in the construction of highways leading to their facilities.*

*The funds appropriated for improvement or reconstruction of energy impacted highways are nonlapsing.*



**APPENDIX B: INTENT LANGUAGE INCLUDED IN FY 2004 SUPPLEMENTAL ACT (H.B. 1, 2004 GS)**



## **Consolidated Intent Language - Supplemental I Act**

### **Executive Offices & Criminal Justice**

#### Corrections - Corrections Programs & Operations

1. *It is the intent of the Legislature that the following line items in the Department of Corrections be consolidated for Fiscal Year 2004: Programs and Operations; Medical Services; and Utah Correctional Industries. The remainder of the Department's line items of appropriation will each remain separate line items. These are: Jail Contracting; Jail Reimbursement; and DP Internal Service Fund.*

#### ISF - Corrections - ISF - Corrections Internal Service Fund

2. *The Legislature intends that all but \$374,500 in prior year capital outlay authorization granted to the Department of Corrections Data Processing Internal Service Fund shall lapse on July 1, 2004. The Legislature further intends that \$374,500 in non-lapsing FY 2004 authorization shall be used to upgrade and expand O-TRACK development and production hardware.*

### **Capital Facilities & Administrative Services**

#### Administrative Services - Administrative Rules

3. *It is the intent of the Legislature that funds for Administrative Rules shall not lapse and that those funds may be used to fund a FTE or contract position on a temporary basis.*

#### Administrative Services - Finance - Mandated

4. *It is the intent of the Legislature that funds for the LeRay McAllister fund shall not lapse.*

#### Administrative Services - Purchasing

5. *It is the intent of the Legislature that funds for Purchasing shall not lapse and that those funds shall be used for electronic commerce.*

#### ISF - Administrative Services - ISF - Office of State Debt Collection

6. *It is the intent of the Legislature that the Office of State Debt Collection Internal Service Fund shall lapse all capital outlay authority on June 30, 2004.*

#### ISF - Administrative Services - ISF - Purchasing & General Services

7. *It is the intent of the Legislature that the General Services Internal Service Fund shall lapse all capital outlay authority on June 30, 2004.*

#### ISF - Administrative Services - ISF - Information Technology Services

8. *The Legislature intends that \$1,078,000 in carry-forward capital outlay authority granted by intent language to the Division of Information Technology Services in Item 59, House Bill 1, 2003 General Session, is hereby rescinded. It intends that remaining nonlapsing authority be used for the following projects: \$250,000 for a Voice Over Internet Protocol pilot project; \$500,000 for a Communications Upgrade to Richfield.*
9. *The Legislature intends that all but \$1,261,300 in unexercised Capital Outlay Authority granted for FY 2004 shall lapse on June 30, 2004. The Legislature further intends that \$1,261,300 in authority that does not lapse shall be used for the following: Better Billing, \$125,000; Netcool Hardware and Software, \$163,800; Shark Alternatives, \$200,000; Backup Infrastructure, \$50,000; Authentication Software, \$100,000; Microwave Site Improvements, \$247,100; PBX and Key Systems, 375,500.*

#### ISF - Administrative Services - ISF - Fleet Operations

10. *It is the intent of the Legislature that the Fleet Operations Internal Service Fund shall lapse all capital outlay authority on June 30, 2004.*

ISF - Administrative Services - ISF - Risk Management

11. *It is the intent of the Legislature that the Risk Management Internal Service Fund shall lapse all capital outlay authority on June 30, 2004.*

ISF - Administrative Services - ISF - Facilities Management

12. *It is the intent of the Legislature that the Facility Management Internal Service Fund shall lapse all capital outlay authority on June 30, 2004.*

Tax Commission - Tax Administration

13. *It is the intent of the Legislature that the Utah State Tax Commission carry forward unexpended funds related to implementing Streamlined Sales Tax legislation.*

Commerce - Commerce General Regulation

14. *The Legislature intends that the Commerce Department may provide capital from existing funds to the Division of Fleet Operations to purchase a new vehicle.*

Commerce - Real Estate Education

15. *It is the intent of the Legislature that these funds be non-lapsing.*

Commerce - Committee of Consumer Services Professional and Technical Services

16. *It is the intent of the Legislature that these funds be non-lapsing.*

Financial Institutions - Financial Institutions Administration

17. *Under the terms of UCA 63-38-8.1, the Legislature intends to make non-lapsing item 87, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to \$30,000 for computer equipment and software.*

Insurance - Insurance Department Administration

18. *The Legislature intends that the Insurance Department may provide capital from existing funds to the Division of Fleet Operations to purchase a new vehicle.*
19. *Under the terms of UCA 63-38-8.1, the Legislature intends to make non-lapsing item 88, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to \$122,000 for capital equipment and improvements, computer equipment and software, and employee training and incentives.*

**Economic Development & Human Resources**

Community & Economic Development - State Library

20. *It is the intent of the Legislature that the State Library may use agency funds to expand the fleet by one vehicle for bookmobile services.*

Health - Health Care Financing

21. *It is the intent of the Legislature that funds appropriated for the eREP enhancements be considered nonlapsing.*

**Health & Human Services**

Human Services - Executive Director Operations

22. *It is the intent of Legislature that if funds are available, the Foster Care Citizen Review Board is authorized to not lapse funds at the end of FY 2004. These funds are to be used solely for one-time volunteer recruitment or database costs.*

23. *It is the intent of the Legislature that funds appropriated to the Office of Technology in the Executive*

*Director Operations budget for e-REP enhancements are non-lapsing.*

Human Services - Drug Courts/Boards

24. *It is the intent of the Legislature that funds appropriated for Drug Courts and Drug Boards from the Tobacco Settlement Restricted Account for FY 2004 be non-lapsing.*

Human Services - Substance Abuse & Mental Health

25. *It is the intent of the Legislature that if funds are available, the Division of Substance Abuse and Mental Health is authorized to not lapse up to \$80,000 at the end of FY 2004. These funds are for the purchase of computer equipment and software, capital equipment and improvements, and equipment and supplies.*

Human Services - Svcs for People w/Disabilities

26. *It is the intent of the Legislature that the Division of Services for People with Disabilities use non-lapsing funds carried over from FY 2003 to provide services for people needing emergency services, aging out of state custody, child welfare services and juvenile justice services, or being court ordered into DSPD services. It is further the intent of the Legislature that the Division will use generated budget savings to continue funding services for these people by FY 2006. The Division will report regularly to the Office of Legislative Fiscal Analyst on progress in the efforts to generate these cost savings.*

Human Services - Office of Recovery Services

27. *It is the intent of the Legislature that funds appropriated to the Office of Recovery Services for e-REP enhancements are non-lapsing.*

Human Services - Child and Family Services

28. *It is the intent of the Legislature that if funds are available, DCFS is authorized to not lapse up to \$50,000 at the end of FY 2004. These funds are for the purchase of computer equipment and software.*
29. *It is the intent of the Legislature that if funds are available, DCFS is authorized to purchase up to six additional vehicles.*
30. *It is the intent of the Legislature that funds appropriated for the Adoption Assistance program and the Out of Home Care program in the Division of Child and Family Services not lapse at the end of FY 2004. It is further the intent of the Legislature that these funds be used for Adoption Assistance and Out of Home Care programs.*

**Natural Resources**

Natural Resources - Administration

31. *Under terms of UCA 63-38-3.1, the Legislature intends not to lapse Item 186, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to: Current Expense Items - \$40,000; Computer Equipment/Software - \$18,000; Employee Training/Incentives - \$15,000; Copy Machine/Printers - \$14,000; Special Projects/Studies - \$15,000; Professional/Technical Services - \$25,000.*

Natural Resources - Building Operations

32. *Under terms of UCA 63-38-3.1, the Legislature intends not to lapse Item 188, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to: East Gate Replacement - \$23,000; Building Maintenance - \$25,000.*

Natural Resources - Oil, Gas and Mining

33. *Under terms of UCA 63-38-3.1, the Legislature intends not to lapse Item 190, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to: Computer Equipment/Software - \$35,000; Employee Training/Incentives - \$25,000.*

#### Natural Resources - Parks & Recreation

34. *Under terms of UCA 63-38-3.1, the Legislature intends not to lapse Item 197, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to: Capital Equipment or Improvements - \$20,000; Computer Equipment/Software - \$25,000; Employee Training/Incentives - \$45,000; Equipment/Supplies - \$60,000.*

#### Natural Resources - Water Resources

35. *Under terms of UCA 63-38-3.1, the Legislature intends not to lapse Item 200, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to: Computer Equipment/Software - \$25,000; Employee Training/Incentives - \$5,000; Equipment/Supplies - \$10,000; Special Projects/Studies - \$10,000; Printing/Binding - \$5,000.*

#### Natural Resources - Water Rights

36. *Under terms of UCA 63-38-3.1, the Legislature intends not to lapse Item 203, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to: Computer Equipment/Software - \$25,000; Employee Training/Incentives - \$50,000; Special Projects/Studies - \$25,000; Water Resource Investigations - \$50,000.*

#### Agriculture - Administration

37. *Under terms of UCA 63-38-3.1, the Legislature intends not to lapse Item 205, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to: Capital Equipment or Improvements - \$300,000; Computer Equipment/Software - \$200,000; Employee Training/Incentives - \$100,000; Equipment/Supplies - \$200,000; Special Projects/Studies- \$85,000; Vehicles - \$100,000.*
38. *It is the intent of the Legislature that supplemental funds appropriated to the Department of Agriculture and Food for insect control shall be used as follows: \$200,000 for grasshopper/cricket control; \$500,000 for mosquito control.*

#### Agriculture - Resource Conservation

39. *Under terms of UCA 63-38-3.1, the Legislature intends not to lapse Item 209, Chapter 342, Laws of Utah 2003. Expenditure of these funds is limited to: Computer Equipment/Software - \$10,000; Employee Training/Incentives - \$5,000; Equipment/Supplies - \$5,000.*

### **Public Education**

#### State Board of Education - State Office of Education

40. *It is the intent of the Legislature that the revenue appropriated to the State Board of Education for distribution to the Jean Massieu Charter School be non-lapsing.*
41. *It is the intent of the Legislature that the USOE use up to \$71,000 of the remaining funds appropriated in SB 154 (2003 General Session) for online coordination of instructional materials.*
42. *It is the intent of the Legislature that the USOE continue with the state instructional materials correlation process and recommends the USOE to contract a review body that has satisfied the Interim Education Committee's RFP process, to conduct reviews of instructional materials to provide a complete correlation to the State core curriculum prior to the time the USOE, districts, schools, and teachers purchase instructional materials.*

*The third party review body shall report the results of the correlation through an online system to make its correlation findings available for review and application by all teachers in the state.*

*The cost of the review process shall be born by the publishers of instructional materials.*

## **Transportation & Environmental Quality**

### **National Guard - Utah National Guard**

43. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 222 of Chapter 342 Laws of Utah 2003 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Veterans' Cemetery - \$50,000*  
*Armory Maintenance - \$50,000*

### **Transportation - Support Services**

44. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 226 of Chapter 342 Laws of Utah 2003 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Data Processing (system development) - \$500,000*

### **Transportation - Engineering Services**

45. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 227 of Chapter 342 Laws of Utah 2003 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Engineering Services - \$75,000*

### **Transportation - Maintenance Management**

46. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 228 of Chapter 342 Laws of Utah 2003 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Contractual Maintenance - \$75,000*  
*Land and Buildings (environmental clean up) - \$200,000*  
*Land Purchases - \$500,000*

### **Transportation - Region Management**

47. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 230 of Chapter 342 Laws of Utah 2003 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Region Management - \$75,000*

### **Transportation - Equipment Management**

48. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 231 of Chapter 342 Laws of Utah 2003 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Equipment Purchases - \$75,000*



**APPENDIX C: INTENT LANGUAGE INCLUDED IN FY04-05 BILL OF BILLS (H.B. 3, 2004 GS)**



## **Consolidated Intent Language - Supplemental II Act, FY 2005**

### **Executive Offices & Criminal Justice**

#### **Corrections - Corrections Programs & Operations**

1. *The Legislature intends that the Department of Corrections will open and operate the Oxbow Jail incrementally only as necessary. It intends that Corrections will do so in a manner that minimizes average per bed costs for all state adult corrections capacity, including contract beds, statewide. The Legislature further intends that the Department shall report monthly to the Executive Appropriations Committee on the progress of transitioning inmates to the new facility.*

### **Capital Facilities & Administrative Services**

#### **Administrative Services - Purchasing**

2. *The Legislature intends that all departments and divisions, except for the division of Juvenile Justice Services, in state government be encouraged to contract with private non-state governmental entities to provide services to the citizens of the State of Utah. The Legislature further intends that a report be presented to the Executive Appropriation Committee in October 2004 on the extent that departments and divisions used private non-state governmental entities to provide services to the citizens of Utah. The Legislature also intends that the report describe (1) additional services that the departments and divisions reasonably believe could be delivered by private non-state governmental entities, and (2) which services cannot be delivered by private non-state governmental entities.*

#### **Capital Budget - DFCM Capital Program**

3. *The Legislature intends that the Division of Facilities and Construction Management shall use up to \$1.5 million in Capital Improvement funds for the remodeling and upgrade of the Oxbow Jail for state use.*

#### **Capital Budget - Property Acquisition**

4. *The Legislature intends that the Commission on Criminal and Juvenile Justice apply \$2.2 million in Federal VOI/TIS Funds to the purchase of the Oxbow Jail.*

### **Workforce Services**

5. *It is the intent of the legislature that, after exhausting other state funding sources for the Electronic Resource Eligibility Product (eREP), the Department of Workforce Services may use up to \$3.0 million from the Special Administrative Expense Fund to develop the Electronic Resource Eligibility Product (eREP).*

### **Commerce - Commerce General Regulation**

6. *It is the intent of the Legislature that the Commerce and Revenue Appropriations Subcommittee review these real estate positions and the real estate fee revenue generated relative to the costs incurred by these positions.*
7. *In accordance with Section 13-1-2(3) the following fee is approved for the services of the Department of Commerce for FY 2005: Residence Lien Recovery Fund: Special Assessment Fee - \$125.*

### **Economic Development & Human Resources**

#### **Community & Economic Development - Business and Economic Development**

8. *If SB 208 and SB 60 do not pass there is appropriated \$750,000 to the Sports Commission.*

#### Health - Health Care Financing

9. *It is the intent of the Legislature that the Department of Health repeal its rule and that part of the state plan that requires nursing facilities to charge their private pay residents the same rate or more than the nursing facilities Medicaid reimbursement rate.*

#### Health - Medical Assistance

10. *It is the intent of the Legislature that the \$3,576,500 (\$1,000,000 General Fund) be used to augment reimbursement rates paid to hospitals in the Medicaid program.*

### Health & Human Services

#### Human Services - Substance Abuse & Mental Health

11. *It is the intent of the Legislature that increased State funds provided by the 2004 Legislature for local Mental Health Centers in item 122 of Senate Bill 1 (Appropriations Act, 2004 General Session) be distributed through the mental health funding formula to local authorities for use as match for Medicaid funding.*

#### State Board of Regents - Nursing Initiative

12. *The following intent language supplements and further directs the distribution of monies appropriated in S.B. 1, Appropriations Act, 2004 General Session, Item 176, State Board of Regents - Nursing Initiative. The Legislature intends that institutions receiving nursing initiative funding maximize State resources through increased support of the 2-year RN nursing programs to reduce the workforce shortages. The Legislature further intends that the appropriated funds be distributed as follows: University of Utah - \$150,000, Weber State University - \$100,000, Salt Lake Community College - \$100,000, College of Eastern Utah - \$50,000, Utah Valley State College - \$75,000, Southern Utah University - \$75,000, Snow College - \$50,000 and Dixie State College - \$75,000.*

### Natural Resources

#### Agriculture - Administration

13. *Regulatory Services fees in Senate Bill 1, 2004 General Session, are amended as follows: Base Food Inspection "Super" category: \$350; Base Weights and Measures "Super" category: \$350.*

### Public Education

#### State Board of Education - State Office of Education

14. *It is the intent of the legislature to comply with the provisions of House Bill 78, 2004 General Session, that the appropriation in the Senate Bill 1, 2004 General Session, Appropriations Act, Item 210, for School LAND Trust Administration is from the Interest and Dividends Account within the Uniform School Fund.*

#### Minimum School Program

15. *It is the intent of the legislature to comply with the provisions of House Bill 78, 2004 General Session, that the appropriation in the Senate Bill 3, 2004 General Session, Minimum School Program Act Amendments, 53a-17a-104(y), for the School LAND Trust Program is from the Interest and Dividends Account within the Uniform School Fund.*

### Transportation & Environmental Quality

#### Environmental Quality

16. *It is the intent of the Legislature that the \$500,000 appropriated by Item 70, House Bill 1, 2004 General Session shall not lapse.*

## **Consolidated Intent Language - Supplemental II Act, FY 2004**

### **Capital Facilities & Administrative Services**

#### Administrative Services - Finance Administration

1. *It is the intent of the Legislature that any Federal Jobs & Growth Tax Relief Funds carried over from FY 2003 and received in FY 2004 are included in the appropriations for necessary programs and services for FY 2004 and are to be expended prior to other funding sources. It is further the intent of the Legislature that none of these funds be transferred to the General Fund Restricted - Budget Reserve Account.*

#### Administrative Services - Finance - Mandated

2. *The Legislature intends that these funds be used to hire a consultant to study the impact of tuition tax credits on the state. The Legislature further intends that the Legislative Management Committee shall have the sole discretion to hire and compensate consultants for this project.*

### **Public Education**

#### State Board of Education - State Office of Education

3. *It is the intent of the Legislature that the USOE use this one-time appropriation to contract with a private entity which meets the qualifications of the RFP approved by the Education Interim Committee. It is further the intent of the Legislature that this funding be used strictly to implement the proposal in the school districts, and not for software program development.*



**APPENDIX D: INTENT LANGUAGE INCLUDED IN FY 2006 APPROPRIATIONS ACT (H.B. 1, 2005 GS)**



## Consolidated Intent Language - Appropriations Act

### Executive Offices & Criminal Justice

#### Governor's Office

1. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*
2. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*

#### Governor's Office - Elections

3. *The Legislature intends that funds provided for Elections shall not lapse.*

#### Governor's Office - Emergency Fund

4. *The Legislature intends that funds provided for the Governor's Emergency Fund shall not lapse.*

#### Governor's Office - RS-2477 Rights of Way

5. *The Legislature intends that funds provided for the RS-2477 Rights of Way line item shall not lapse.*
6. *It is the intent of the Legislature that funds expended from the R.S. 2477 Fund be used for litigation or negotiations designed to quiet title to existing rights of way established before 1976 under R.S. 2477 guidelines. It is further the intent of the Legislature that the Governor or his designee shall present a report to the Legislature prior to or during the 2006 General Session detailing activities funded within this line item, including information on cooperation and coordination with counties and the Utah Attorney General's Office.*

#### Governor's Office - Governor's Office of Planning and Budget

7. *The Legislature intends that funds provided for the Governor's Office of Planning and Budget shall not lapse.*
8. *It is the intent of the Legislature that the Governor's Office of Planning and Budget use the monies appropriated for State and Local Planning to assist cities and counties with county resource management planning, quality growth planning, critical lands planning, or other important local government planning needs.*

#### Governor's Office - GOPB - Chief Information Officer

9. *The Legislature intends that funds provided for the Chief Information Officer shall not lapse.*

#### Governor's Office - Commission on Criminal and Juvenile Justice

10. *The Legislature intends that funds provided for the Commission on Criminal and Juvenile Justice shall not lapse.*

#### State Auditor

11. *The Legislature intends that funds provided for the State Auditor shall not lapse.*
12. *The Legislature intends that funds provided for the State Auditor shall not lapse.*

#### State Treasurer

13. *The Legislature intends that funds provided for the State Treasurer shall not lapse.*
14. *The Legislature intends that funds provided for the State Treasurer shall not lapse.*

#### Attorney General

15. *The Legislature intends that funds provided for the Attorney General shall not lapse.*
16. *It is the intent of the Legislature that up to \$123,100 of the appropriation provided from the General Fund Restricted-Constitutional Defense account be used to pay the Attorney General's Office to address the*

*interests of state and local governments on public lands issues when the Attorney General determines that a statewide public purpose exists.*

17. *The Legislature intends that funds provided for the Attorney General shall not lapse.*

18. *The Legislature intends that funds provided for the Attorney General shall not lapse*

19. *The Legislature intends that funds provided for the Attorney General shall not lapse*

Attorney General - Contract Attorneys

20. *The Legislature intends that funds provided for Contract Attorneys shall not lapse.*

Attorney General - Children's Justice Centers

21. *The Legislature intends that funds provided for the Children's Justice Centers shall not lapse.*

Attorney General - Prosecution Council

22. *The Legislature intends that funds provided for Prosecution Council shall not lapse.*

Attorney General - Domestic Violence

23. *The Legislature intends that funds provided for Domestic Violence shall not lapse.*

Corrections - Corrections Programs & Operations

24. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

25. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

26. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

Corrections - Department Medical Services

27. *It is the intent of the Legislature that the funds for Medical Services shall not lapse.*

28. *It is the intent of the Legislature that the funds for Medical Services shall not lapse.*

Corrections - Utah Correctional Industries

29. *It is the intent of the Legislature that the funds for Utah Correctional Industries shall not lapse.*

Corrections - Jail Contracting

30. *It is the intent of the Legislature that the funds for Jail Contracting shall not lapse.*

Corrections - Jail Reimbursement

31. *It is the intent of the Legislature that the funds for Jail Reimbursement shall not lapse.*

ISF - Corrections - ISF - Corrections Internal Service Fund

32. *It is the intent of the Legislature that the funds for Corrections Data Processing - Internal Service Fund shall not lapse.*

Board of Pardons and Parole

33. *It is the intent of the Legislature that the funds for the Board of Pardons and Parole shall not lapse.*

34. *It is the intent of the Legislature that the funds for the Board of Pardons and Parole shall not lapse.*

Juvenile Justice Services - Programs and Operations

35. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

36. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

Juvenile Justice Services - Youth Parole Authority

- 37. *It is the intent of the Legislature that the funds for Youth Parole Authority shall not lapse.*
- 38. *It is the intent of the Legislature that the funds for Youth Parole Authority shall not lapse.*

Courts - Administration

- 39. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*
- 40. *It is the intent of the Legislature that the Administrative Office of the Courts: 1) reimburse up to \$100,000 to any private nonprofit organization that, in reliance on representation that certain legal expenses for domestic violence would be reimbursed, has incurred expenses for: (a) legal advice for low income family members and low income victims of domestic violence about family law matters; and (b) legal representation in family law matters in Utah district or juvenile courts to low income family members and low income victims of domestic violence. 2) before reimbursing the monies to the private organization, obtain a written, signed, and dated certification from the organization that the monies were used or will be used exclusively to provide the services of 1(a) and 1(b).*
- 41. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*
- 42. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*
- 43. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*
- 44. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*
- 45. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*
- 46. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*

Courts - Grand Jury

- 47. *It is the intent of the Legislature that the funds for Grand Jury shall not lapse.*

Courts - Contracts and Leases

- 48. *It is the intent of the Legislature that the funds for Contracts and Leases shall not lapse.*
- 49. *It is the intent of the Legislature that the funds for Contracts and Leases shall not lapse.*

Courts - Jury and Witness Fees

- 50. *It is the intent of the Legislature that the funds for Jury, Witness and Interpreter shall not lapse.*

Courts - Guardian ad Litem

- 51. *It is the intent of the Legislature that the funds for Guardian ad Litem shall not lapse.*
- 52. *It is the intent of the Legislature that the funds for Guardian ad Litem shall not lapse.*
- 53. *It is the intent of the Legislature that the funds for Guardian ad Litem shall not lapse.*

Public Safety - Public Safety Programs & Operations

- 54. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*
- 55. *It is the intent of the Legislature that receipts above the appropriated dedicated credits amount of reimbursable flight time for the Department of Public Safety aircraft shall not lapse and be used for major aircraft maintenance.*
- 56. *It is the intent of the Legislature that the Department of Public Safety may continue with the consolidated line items of appropriation for Fiscal Year 2006 to assist with mitigation of base budget reductions. It is further the intent of the Legislature that this consolidation is for the period of Fiscal Year 2006 only. The following line items of appropriation for continued consolidation into one line item for Fiscal Year 2006 are: Commissioner's Office; Criminal Investigations and Technical Services Division; Utah Highway*

*Patrol; Management Information Services; and Fire Marshal's Office. The remainder of the Department's line items of appropriation will each remain separate line items. These are: Emergency Services and Homeland Security; Peace Officer Standards and Training; Liquor Law Enforcement; Driver License Division; and Utah Highway Safety.*

Public Safety - Emergency Services and Homeland Security

57. *The Legislature intends that funds provided for Emergency Services and Homeland Security shall not lapse.*

Public Safety - Peace Officers' Standards and Training

58. *The Legislature intends that funds provided for Peace Officers' Standards and Training shall not lapse.*

Public Safety - Liquor Law Enforcement

59. *The Legislature intends that funds provided for Liquor Law Enforcement shall not lapse.*

Public Safety - Driver License

60. *The Legislature intends that funds provided for the Driver License line item shall not lapse.*  
61. *The Legislature intends that funds provided for the Driver License line item shall not lapse*

Public Safety - Highway Safety

62. *The Legislature intends that funds provided for Highway Safety shall not lapse.*

Restricted Revenue - EOCJ - GFR - DNA Specimen Account

63. *It is the intent of the Legislature that the funds for the DNA Specimen Account shall not lapse.*

## Capital Facilities & Administrative Services

### Capitol Preservation Board

64. *It is the intent of the Legislature that funds for the Capitol Preservation Board shall not lapse and that those funds shall be used for the design and construction costs associated with Capitol restoration.*

### Administrative Services - Executive Director

65. *It is the intent of the Legislature that funds for the Executive Director's Office be nonlapsing.*

### Administrative Services - Automated Geographic Reference Center

66. *The Legislature intends that funds provided for the Automated Geographic Reference Center in FY 2005 shall not lapse.*

### Administrative Services - Administrative Rules

67. *It is the intent of the Legislature that funds for Administrative Rules shall not lapse and that those funds may be used to fund an FTE or contract position on a temporary basis.*

### Administrative Services - DFCM Administration

68. *The Legislature intends that the \$150,000 General Fund one-time appropriation shall not lapse.*
69. *It is the intent of the Legislature that the Department spend this money to conduct a feasibility study to determine whether or not to move the state prison at Draper to another location. It is also the intent of the Legislature that the Department, in expending the money to conduct the feasibility study, ensure that the process: allows substantial opportunity for public review and comment; gives due consideration to those public comments and recommendations in the preparations and final recommendations of the study; allows opportunities for all interested parties to submit written comments on any draft Request for Proposals; includes public hearings on the draft report and recommendations in each community affected by the recommendations contained in the draft report; and allows opportunities for interested parties to submit oral or written comments to the draft report at those public hearings.*

### Administrative Services - State Archives

70. *It is the intent of the Legislature that funds for State Archives shall not lapse and that those funds shall be used to digitize and microfilm documents generated by former Utah governors for preservation and access.*

### Administrative Services - Finance Administration

71. *It is the intent of the Legislature that funds for the Division of Finance shall not lapse and that those funds shall be used for maintenance, operation, and development of statewide accounting systems.*
72. *The Legislature intends that the \$50,000 General Fund one-time appropriation shall not lapse.*

### Administrative Services - Finance - Mandated

73. *It is the intent of the Legislature that funds for the LeRay McAllister Fund shall not lapse.*

### Administrative Services - Post Conviction Indigent Defense

74. *It is the intent of the Legislature that funds for the Post Conviction Indigent Defense Fund shall not lapse.*

### Administrative Services - Judicial Conduct Commission

75. *It is the intent of the Legislature that funds for the Judicial Conduct Commission shall not lapse and that those funds shall be used to hire temporary contractors on an as-needed basis.*

### Administrative Services - Purchasing

76. *It is the intent of the Legislature that funds for Purchasing shall not lapse and that those funds shall be used for electronic commerce.*

Administrative Services - Child Welfare Parental Defense

77. *It is the intent of the Legislature that funds for the Office of Child Welfare Parental Defense shall not lapse and that those funds shall be used for contracting.*

ISF - Administrative Services - ISF - Information Technology Services

78. *The Legislature intends that, under the terms and conditions of Utah Code Annotated 63-38-8.2, \$1,347,000 in capital outlay authority granted to the Division of Information Technology Services for Fiscal Year 2005 shall not lapse. The Legislature intends that this authority will be used for the following projects: Campus Network Expansion; Intrusion Protection System; Microwave Expansion; RACF/UMD Integration; WAN Access Upgrades; WAN Distribution Upgrades.*

ISF - Administrative Services - ISF - Fleet Operations

79. *It is the intent of the Legislature that the value of the Federal Surplus Property building be transferred to the State Surplus Property program, and that State Surplus Property excess retained earnings be used to offset the deficit in Federal Surplus Property retained earnings.*

ISF - Administrative Services - ISF - Facilities Management

80. *It is the intent of the Legislature that DFCM's internal service fund may add up to three FTEs and up to two vehicles beyond the authorized level if new facilities come on line or maintenance agreements are requested. Any added FTEs or vehicles will be reviewed and may be approved by the Legislature in the next legislative session.*

ISF - Dept. of Technology Services - ISF - Enterprise Technology

81. *Authorized Capital Outlay - \$6,800,500*

Capital Budget - Capital Development

82. *It is the intent of the Legislature that \$1.0 million in Capital Improvement Funds previously allocated to Oxbow remodeling be deposited instead in the Division of Facilities Construction and Management's statewide emergency capital improvement fund.*

## Commerce & Revenue

### Tax Commission - Tax Administration

83. *It is the intent of the legislature that the Utah State Tax Commission carry forward unexpended funds related to implementing Streamlined Sales Tax legislation.*
84. *The Legislature intends that this appropriation not lapse and that the Utah State Tax Commission carry forward unexpended year-end balances for costs directly related to modernization of tax and motor vehicle systems and implementing the Streamlined Sales Tax legislation.*

### Workforce Services

85. *The Legislature does not intend to lapse these funds.*
86. *The Legislature intends that \$2,160,000 in funds from the March 13, 2002 Reed Act distribution of Unemployment Compensation Trust be used for employment service administration, consistent with Section 903(d) of the Federal Social Security Act.*
87. *The Legislature does not intend to lapse \$3,000,000 appropriated in Fiscal Year 2005 from the General Fund Restricted - Special Administrative Expense fund for the Electronic resource Eligibility Project (eREP).*
88. *The Legislature intends that \$5,000,000 be held in reserve for increases in federal mandates associated with the reauthorization of the Temporary Assistance for Needy Families Grant.*

### Alcoholic Beverage Control

89. *The Legislature intends that Alcoholic Beverage Control may provide capital from existing funds to the Division of Fleet Operations to purchase a new vehicle.*

### Labor Commission

90. *The Legislature intends that fees collected from sponsoring and holding seminars shall be nonlapsing.*
91. *Under the terms of Section 63-38-8.1 Utah Code Annotated, Item 79 of Chapter 256 is made nonlapsing with the use of any nonlapsing funds limited to the following: \$50,000 for computer equipment and software.*

### Commerce - Commerce General Regulation

92. *The Legislature intends that at the end of the fiscal year, unused funds for the Committee on Consumer Services lapse to the Committee's Professional and Technical Services.*
93. *The Legislature does not intend to lapse the appropriation to Public Utilities Professional & Technical Services.*
94. *The Legislature does not intend to lapse the appropriation to the Committee of Consumer Services Professional and Technical Services.*
95. *The following fees, which were approved in the Annual Appropriations Act (H. B. 1, 2005 General Session), are hereby repealed:*
  - Pharmaceutical Manufacturer - New Application Filing - 200.00;*
  - Pharmaceutical Manufacturer - License Renewal - 100.00;*
  - Pharmacy Wholesaler/Distributor - New Application Filing - 200.00;*
  - Pharmacy Wholesaler/Distributor - License Renewal - 100.00;*
  - Veterinary Pharm Outlet - New App Filing - 200.00;*
  - Veterinary Pharm Outlet - License Renewal - 100.00;*
  - Pharm Research - New Application Filing - 200.00;*
  - Pharm Research - License Renewal - 100.00;*
  - Pharm Dog trainer - New Application Filing - 200.00;*
  - Pharm Dog Trainer - License Renewal - 100.00;*
  - Pharm Teaching Organization - New App Filing - 200.00;*
  - Pharm Teaching Organization - Lic Renewal - 100.00;*
  - Euthanasia Agency - New Application Filing - 200.00;*

*Euthanasia Agency - License Renewal - 100.00;*  
*Analytical Laboratory - New Application Filing - 200.00;*  
*Analytical Laboratory - License Renewal - 100.00;*  
*Pharmacy Administration - New Application Filing - 200.00;*  
*Pharm Administration - License Renewal - 100.00;*  
*Pharmaceutical Out-of-State Mail Order - 200.00;*  
*Pharmaceutical Out-of-State Mail Order Renewal - 100.00.*

Insurance - Insurance Department Administration

96. *Under the terms of Section 63-38-8.1 Utah Code Annotated, Item 85 of Chapter 256 is made nonlapsing with the use of any nonlapsing funds limited to the following: \$120,000 for computer equipment and software, and \$10,000 for employee training.*

Public Service Commission

97. *The Legislature does not intend to lapse the appropriation made by the passage of S. B. 1, Appropriations Act, 2004 General Session , Item 89.*
98. *The Legislature does not intend to lapse these funds.*

Economic Development & Human Resources

Career Service Review Board

99. *It is the intent of the Legislature that funding for the Career Service Review Board be nonlapsing.*

Human Resource Management

100. *It is the intent of the Legislature that funding for the Department of Human Resource Management be nonlapsing.*
101. *The Legislature intends that health and dental insurance benefit increases be paid as recommended by Group Insurance.*
102. *The Legislature intends to fund a 2.5% cost of living allowance for state employees effective July 2, 2005.*

Community and Culture - Administration

103. *It is the intent of the Legislature that funding for DCED Administration be nonlapsing.*

Community and Culture - State History

104. *It is the intent of the Legislature that funding for State History be nonlapsing.*

Community and Culture - Fine Arts

105. *It is the intent of the Legislature that funding for the Fine Arts be nonlapsing.*

Community and Culture - State Library

106. *It is the intent of the Legislature that funding for the State Library be nonlapsing.*

Community and Culture - Indian Affairs

107. *It is the intent of the Legislature that funding for the Indian Affairs be nonlapsing.*

Community and Culture - Housing and Community Development

108. *It is the intent of the Legislature that funding for the Community Development be nonlapsing.*

Economic Development - Business and Travel Development

109. *It is the intent of the Legislature that funding for the Business and Travel Development be nonlapsing.*
110. *It is the intent of the legislature that funding for Division of Business and Economic Development be non-lapsing. This intent supercedes intent language found in Senate Bill 1, Item 99, of the 2004 General Session.*
111. *It is the intent of the legislature that funding for Travel Council be non-lapsing. This intent supercedes intent language found in Senate Bill 1, Item 100, of the 2004 General Session.*
112. *It is the intent of the Legislature that \$250,000 General Fund one-time funding appropriated in this item be used to fund the Manufacturer's Extension Partnership.*

## Health & Human Services - Department of Health

### Health - Health Systems Improvement

- 113. *It is the intent of the Legislature that civil money penalties collected for child care provider violations be considered nonlapsing.*
- 114. *It is the intent of the Legislature that the fees collected for the purpose of plan reviews by the Bureau of Health Facility Licensure, Certification and Resident Assessment be considered nonlapsing.*
- 115. *It is the intent of the Legislature that civil money penalties collected for health care provider violations be considered nonlapsing.*
- 116. *It is the intent of the Legislature that funds for the Primary Care Grants Program be considered nonlapsing.*
- 117. *It is the intent of the Legislature that funding for the Primary Care Grants Program not be expended for inter-departmental projects except for Community Partnered Mobile Dental Services.*

### Health - Epidemiology & Lab Services

- 118. *Under the terms of UCA 63-38-8.1, the Legislature intends to make nonlapsing item 114, Chapter 256, Laws of Utah 2004. Expenditure of these funds is limited to \$200,000 for laboratory equipment, computer equipment and/or software, and building improvements.*
- 119. *It is the intent of the Legislature that the \$500,000 appropriated for the purpose of replacing laboratory equipment at the State Health Laboratory be considered nonlapsing.*

### Health - Community & Family Health

- 120. *It is the intent of the Legislature that funding for alcohol, tobacco, and other drug prevention, reduction, cessation, and control programs be considered nonlapsing.*
- 121. *It is the intent of the Legislature that \$75,000 of immunization funding be considered nonlapsing and be used to purchase flu vaccine.*

### Health - Medical Assistance

- 122. *It is the intent of the Legislature that \$17,165,100, of which \$4,959,000 is from the General Fund, one-time, be used to restore Medicaid vision services and adult dental services.*

Health & Human Services - Department of Human Services

Human Services - Executive Director Operations

123. *It is the intent of the Legislature that funds appropriated to the Office of Technology in the Executive Director Operations budget for e-REP enhancements are nonlapsing.*
124. *If funds are available, the Foster Care Citizens Review Board is authorized to not lapse funds at the end of FY 2005. These funds are to be used solely for one-time development, maintenance, and upgrading of computer software and equipment and for recruitment, training and retention of volunteers.*
125. *Intercountry Adoption Accreditation Fee - \$15,000.*

Human Services - Drug Courts/Boards

126. *It is the intent of the Legislature that funds appropriated for Drug Courts and Drug Boards from the Tobacco Settlement Restricted Account for FY 2005 be non-lapsing.*

Human Services - Substance Abuse & Mental Health

127. *If funds are available, the Division of Substance Abuse and Mental Health is authorized to not lapse up to \$65,000 at the end of FY 2005. These funds are to be used for the purchase of computer equipment and software, capital equipment or improvements, and equipment or supplies.*
128. *It is the intent of the Legislature that these funds, which are appropriated to address the loss of Medicaid funds used for mental health services provided by local mental health centers to non-Medicaid eligible clients, be used solely for that purpose.*

Human Services - Svcs for People w/Disabilities

129. *It is the intent of the Legislature that funds appropriated for the home and community based services waiting list for people with disabilities be used exclusively for direct services and related support.*
130. *It is the intent of the Legislature that the Division of Services for People with Disabilities (DSPD) use nonlapsing funds carried over from FY 2005 to provide services for individuals needing emergency services, individuals needing additional waiver services, individuals who turn 18 years old and leave state custody from the Divisions of Child and Family Services and Juvenile Justice Services, and individuals court ordered into DSPD services. DSPD will report to the Office of Legislative Fiscal Analyst on the use of these funds.*

Human Services - Office of Recovery Services

131. *It is the intent of the Legislature that funds appropriated to the Office of Recovery Services for e-REP enhancements are nonlapsing.*

Human Services - Child and Family Services

132. *It is the intent of the Legislature that funds appropriated for the Adoption Assistance program and the Out of Home Care program in the Division of Child and Family Services not lapse at the end of FY 2006. It is further the intent of the Legislature that these funds be used for Adoption Assistance and Out of Home Care programs.*
133. *It is the intent of the Legislature that up to \$350,000 of funds appropriated to the Division of Child and Family Services for adoption assistance may be used to hire up to six positions to provide adoptive parents with information, services, and counseling in an effort to prevent adoptive placements from failing, and to ensure efficient and appropriate services and accountability of funds.*
134. *If funds are available, the Division of Child and Family Services is authorized to not lapse up to \$50,000 at the end of FY 2005. These funds are to be used for the purchase of computer equipment and software.*

Human Services - Aging and Adult Services

135. *If funds are available, the Division of Aging and Adult Services is authorized to not lapse up to \$100,000 at the end of FY 2005. These funds are to be used for senior center renovations and to assist with vehicle maintenance and replacements within local area agencies on aging.*

## Natural Resources

### Natural Resources - Administration

136. *It is the intent of the Legislature that ongoing funding for the Bear Lake Regional Commission be expended only as a one-to-one match with funds from the State of Idaho.*
137. *It is the intent of the Legislature that the Department of Natural Resources report to the Natural Resources Appropriations Subcommittee before or on their November 2009 meeting, presenting the results of a cost-savings post audit on whether the savings of the position of a safety coordinator warrant continuation.*
138. *It is the intent of the Legislature that the \$2,000,000 appropriated to the Department of Natural Resources -- Administration in S.B.1, Item 54, be nonlapsing.*
139. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 183, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Current Expense Items \$40,000; Computer Equipment/Software \$18,000; Employee Training/Incentives \$15,000; Equipment/Supplies \$14,000; Special Projects/Studies \$15,000; Gate Replacement \$23,000; Building Maintenance \$25,000; Professional and Technical Services \$25,000.*

### Natural Resources - Species Protection

140. *It is the intent of the Legislature that the Department of Natural Resources report to the Natural Resources, Agriculture, and Environment Interim Committee and the Natural Resources Appropriations Subcommittee on or before their November, 2005 meeting, providing detailed information on how funds are expended for the Colorado River, June Sucker, and Virgin River plans, including detailed information on contracts issued, deliverables required, and deliverables accomplished.*

### Natural Resources - Forestry, Fire and State Lands

141. *It is the intent of the Legislature to allow the Department of Natural Resources (DNR) to expand its motor pool fleet by 3 vehicles in FY 2006. These vehicles are specialized equipment used by the Division of Forestry, Fire and State Lands in firefighting activities and will be purchased in the DNR ISF. The Division of Forestry, Fire and State Lands must provide up to \$263,000 of contributed capital to the DNR Motor Pool Internal Service Fund.*
142. *It is the intent of the Legislature that the \$447,000 funding increase from General Fund Restricted - Sovereign Land Management account for the Special Master be nonlapsing.*
143. *It is the intent of the Legislature that the \$50,000 funding increase from General Fund Restricted - Sovereign Land Management account for remedial action for Rozel Point Oil wells be nonlapsing.*

### Natural Resources - Oil, Gas and Mining

144. *It is the intent of the Legislature that the appropriation to the Minerals Regulatory Program be nonlapsing.*
145. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 187, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Computer Equipment/Software \$40,000; Employee Training/Incentives \$20,000; Equipment/Supplies \$20,000.*

### Natural Resources - Wildlife Resources

146. *It is the intent of the Legislature that appropriations from the General Fund Restricted – Wildlife Habitat Account be nonlapsing.*
147. *The Legislature intends that up to \$500,000 of this budget may be used for big game depredation expenditures. The Legislature also intends that half of these funds shall be from the General Fund Restricted – Wildlife Resources Account and half from the General Fund. This funding shall be nonlapsing.*
148. *It is the intent of the Legislature that the division spend a minimum of \$265,000 to improve deer herds according to management plan objectives.*
149. *It is the intent of the Legislature that individual income tax contributions to the Wolf Depredation and*

*Management Restricted Account shall be nonlapsing and spent by the Division of Wildlife Resources as follows: 1) The division shall fully and expeditiously compensate livestock owners, up to the amount of funds available, for all wolf depredation damage realized during the fiscal year. Up to \$20,000 shall carry forward to the next fiscal year if not spent during the current fiscal year for this purpose. 2) Donations in excess of \$20,000 and not otherwise expended or carried forward as required above, shall be available for wolf management expenditures.*

150. *It is the intent of the Legislature that up to \$500,000 be spent on the Blue Ribbon Fisheries Program. These funds shall be nonlapsing.*

Natural Resources - Contributed Research

151. *It is the intent of the Legislature that the appropriation to the Contributed Research program be nonlapsing.*

Natural Resources - Cooperative Env Studies

152. *It is the intent of the Legislature that the appropriation to the Cooperative Environmental Studies program be nonlapsing.*

Natural Resources - Wildlife Resources Capital

153. *It is the intent of the Legislature that the Division of Wildlife Resources – Capital Budget be nonlapsing.*

Natural Resources - Parks & Recreation

154. *It is the intent of the Legislature that any appropriation of a management fee to the This is the Place Foundation may not exceed \$700,000.*
155. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 194, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Capital Equipment or Improvements \$20,000; Computer Equipment/Software \$25,000; Employee Training/Incentives \$45,000; Equipment/Supplies \$60,000.*

Natural Resources - Parks & Recreation Capital

156. *It is the intent of the Legislature that the Division of Parks and Recreation – Capital Budget be nonlapsing.*

Natural Resources - Utah Geological Survey

157. *It is the intent of the Legislature that the Utah Geological Survey's Mineral Lease funds be nonlapsing.*

Natural Resources - Water Resources

158. *It is the intent of the Legislature that the appropriation to the Cooperative Water Conservation Program be nonlapsing.*
159. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 197, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Computer Equipment/Software \$30,000; Employee Training/Incentives \$5,000; Equipment/Supplies \$10,000; Special Projects/Studies \$10,000; Printing and Binding \$15,000; Other Contractual & Professional Services \$25,000; Water Conservation Materials/Education \$10,000; Conventions and Workshops \$5,000; Postage and Mailing \$2,000.*

Natural Resources - Water Rights

160. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 200, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Computer Equipment/Software \$25,000; Employee Training/Incentives \$25,000; Special Projects/Studies \$50,000; Water Resources Investigations \$50,000.*

Agriculture - Administration

161. *It is the intent of the Legislature that the appropriation for conservation easements, whether granted to charitable organizations specified under UCA 57-18-3 or held by the Department of Agriculture & Food, be used to conserve agricultural lands and be nonlapsing.*

162. *It is the intent of the Legislature that the appropriation to the Agricultural Inspection Program be nonlapsing.*
163. *It is the intent of the Legislature that funds collected in the Organic Certification Program be nonlapsing.*
164. *It is the intent of the Legislature that the appropriation to the Grain Inspection Program be nonlapsing.*
165. *It is the intent of the Legislature that the appropriation to the Auction Market be nonlapsing.*
166. *It is the intent of the Legislature that collections for the "Ag Tag" license plate be nonlapsing.*
167. *It is the intent of the Legislature that the \$150,000 General Fund supplemental appropriation for the Regulatory Services program be nonlapsing.*
168. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 202, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Capital Equipment or Improvements \$320,000; Computer Equipment/Software \$185,000; Employee Training/Incentives \$97,000; Equipment/Supplies \$102,000; Special Projects/Studies \$54,000; Vehicles \$34,000; Other \$5,000.*
169. *The Legislature intends that \$10,000 shall be used for the Dyer's Woad weed control bagging program in Cache and Box Elder counties.*

Agriculture - Utah State Fair Corporation

170. *It is the intent of the Legislature that the appropriation to the Utah State Fair Corporation be nonlapsing.*

Agriculture - Predatory Animal Control

171. *It is the intent of the Legislature that the appropriation to the Predatory Animal Control Program be nonlapsing.*

Agriculture - Resource Conservation

172. *It is the intent of the Legislature that funding approved for Soil Conservation District elections be nonlapsing and be spent only during even-numbered years when elections take place.*
173. *It is the intent of the Legislature that the Soil Conservation Districts submit annual reports documenting supervisory expenses to the Legislative Fiscal Analyst, the Office of Planning and Budget, and the Soil Conservation Commission. It is also the intent of the Legislature that these documents be reviewed and reported to the Governor and the Legislature.*
174. *It is the intent of the Legislature that the appropriation to the Resource Conservation program be nonlapsing.*
175. *It is the intent of the Legislature that the \$100,000 funding increase for the Utah Association of Conservation Districts may only be used for conservation planners, travel reimbursements, or technical assistance grants.*
176. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 206, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Computer Equipment/Software \$2,000; Employee Training/Incentives \$1,000.*

Public Education

State Board of Education - State Office of Education

177. *It is the intent of the Legislature that the State Board of Education reallocate from the Utah State Office of Education, two full time equivalent (FTE) employee positions at the Education Specialist level to provide staff support to the State Charter School Board in the following areas: technical assistance to charter school applicants, federal grant writing, performance outcome assessment, and financial performance oversight.*

State Board of Education - Fine Arts and Sciences

178. *Further, it is the intent of the Legislature that the State Board of Education report to the Education Interim Committee and the Executive Appropriations Committee prior to November 30, 2005 on the Board's long term goals for the programs in the Fine Arts and Sciences line item. The Legislature requests that the Board include the following in its report: (1) how well the programs offered by current participating organizations align with the core curriculum; (2) specific areas in the fine arts and science core curricula that may not be served by professional outreach programs; and (3), potential long term growth and funding needs of the program.*

## Transportation & Environmental Quality

### National Guard - Utah National Guard

- 179. *It is the intent of the Legislature that funds appropriated to the Veterans' Affairs Program be nonlapsing.*
- 180. *It is the intent of the Legislature that funds appropriated to the Veterans' Cemetery be nonlapsing.*
- 181. *It is the intent of the Legislature that funds appropriated to the Veterans' Nursing Home be nonlapsing.*
- 182. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 219 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*
  - Veterans' Cemetery - \$50,000*
  - Armory Maintenance - \$50,000*

### Environmental Quality

- 183. *It is the intent of the Legislature that any unexpended funds in the Air Operating Permits Program are nonlapsing and authorized for use in the Air Operating Permits Program to reduce fees in the second fiscal year following that in which the unexpended funds occurred.*
- 184. *It is the intent of the Legislature that any unexpended Groundwater Permit Administration fees are nonlapsing and authorized for use in the Groundwater Permit Administration Program in the following fiscal year to reduce the fees charged.*
- 185. *It is the intent of the Legislature that the funds appropriated for the purpose of addressing high level nuclear waste be non lapsing.*

### Transportation - Support Services

- 186. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 223 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*
  - Data Processing - \$300,000*

### Transportation - Engineering Services

- 187. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 224 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*
  - Engineering Services - \$100,000*

### Transportation - Maintenance Management

- 188. *It is the intent of the Legislature that any and all collections or cash income from the sale or salvage of land and buildings are to be lapsed to the Transportation Fund.*
- 189. *There is appropriated to the Department of Transportation from the Transportation Fund, not otherwise appropriated, a sum sufficient, but not more than the surplus of the Transportation Fund, to be used by the Department for the construction, rehabilitation, and preservation of State highways in Utah.*

*It is the intent of the Legislature that the appropriation fund first, a maximum participation with the federal government for the construction of federally designated highways, as provided by law, and last, the construction of State highways, as funding permits.*

*It is also the intent of the Legislature that the FTEs for field crews may be adjusted to accommodate the increase or decrease in the Federal Construction Program. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance or increase the appropriations otherwise made by this act to the Department of Transportation for other purposes.*

- 190. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 223 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*
  - Contractual Maintenance - \$100,000*
  - Land and Buildings (environmental clean up) - \$200,000*

*Land Purchases - \$500,000*

Transportation - Construction Management

191. *There is appropriated to the Department of Transportation from the Transportation Fund, not otherwise appropriated, a sum sufficient, but not more than the surplus of the Transportation Fund, to be used by the Department for the construction, rehabilitation, and preservation of State highways in Utah.*

*It is the intent of the Legislature that the appropriation fund first, a maximum participation with the federal government for the construction of federally designated highways, as provided by law, and last, the construction of State highways, as funding permits.*

*It is also the intent of the Legislature that the FTEs for field crews may be adjusted to accommodate the increase or decrease in the Federal Construction Program. No portion of the money appropriated by this item shall be used either directly or indirectly to enhance or increase the appropriations otherwise made by this act to the Department of Transportation for other purposes.*

Transportation - Region Management

192. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 225 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:  
Region Management - \$100,000*

Transportation - Equipment Management

193. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 228 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:  
Equipment Purchases - \$100,000*

Transportation - Safe Sidewalk Construction

194. *It is the intent of the Legislature that the funds appropriated from the Transportation Fund for pedestrian safety projects be used specifically to correct pedestrian hazards on State highways.*

*It is also the intent of the Legislature that local authorities be encouraged to participate in the construction of pedestrian safety devices. The appropriated funds are to be used according to the criteria set forth in Section 72-8-104, Utah Code Annotated, 1953. The funds appropriated for sidewalk construction shall not lapse.*

*If local governments cannot use their allocation of Sidewalk Safety Funds in two years, these funds will then be available for other governmental entities which are prepared to use the resources.*

*It is the intent of the Legislature that local participation in the Sidewalk Construction Program be on a 75% state and 25% local match basis.*

Transportation - Mineral Lease

195. *It is the intent of the Legislature that the funds appropriated from the Federal Mineral Lease Account shall be used for improvement or reconstruction of highways that have been heavily impacted by energy development. It is also the intent of the Legislature that private industries engaged in developing the State's natural resources be encouraged to participate in the construction of highways leading to their facilities.*

*The funds appropriated for improvement or reconstruction of energy impacted highways are nonlapsing.*

**APPENDIX E: INTENT LANGUAGE INCLUDED IN FY 2006 SUPPLEMENTAL III ACT (H.B. 301, 2005 GS)**



## **Consolidated Intent Language - Supplemental Appropriations Act III**

### **Executive Offices & Criminal Justice**

#### Governor's Office

1. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*
2. *Notwithstanding the Notary Commission Fees listed in the Annual Appropriations Act (H.B. 1, 2005 General Session), the Legislature approves the following Notary Commission Fees under the terms and conditions of Section 63-38-3 for the use and support of the government of the State of Utah for the Fiscal Year beginning July 1, 2005 and ending June 30, 2006:*
3. *Notary Commission Filing Fee - \$30.00*
4. *Notary Certification - \$15.00*
5. *Rider - \$10.00*
6. *Apostils/Duplicate Certificate - \$10.00*

#### Attorney General

7. *The Legislature intends that funds provided for the Attorney General shall not lapse.*

#### Attorney General - Children's Justice Centers

8. *The Legislature intends that funds provided for the Children's Justice Centers shall not lapse.*

#### Corrections - Corrections Programs & Operations

9. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

#### Corrections - Department Medical Services

10. *It is the intent of the Legislature that the funds for Medical Services shall not lapse.*

#### Corrections - Jail Contracting

11. *It is the intent of the Legislature that the funds for Jail Contracting shall not lapse.*

#### Corrections - Jail Reimbursement

12. *It is the intent of the Legislature that the funds for Jail Reimbursement shall not lapse.*

#### Juvenile Justice Services - Programs and Operations

13. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

#### Courts - Contracts and Leases

14. *It is the intent of the Legislature that the funds for Contracts and Leases shall not lapse.*

#### Public Safety - Public Safety Programs & Operations

15. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*

### **Capital Facilities & Administrative Services**

#### Capital Budget - Capital Improvements

16. *It is the intent of the Legislature that FY 2006 appropriation increases for Capital Improvements shall not be used for improvements on Utah Department of Transportation facilities.*

## **Commerce & Revenue**

### Workforce Services

17. *The Legislature intends that \$5,000,000 be held in reserve for increases in federal mandates associated with the reauthorization of the Temporary Assistance for Needy Families Grant.*

## **Economic Development & Human Resources**

### Community and Culture - State Library

18. *It is the intent of the Legislature that \$200,000 General Fund one-time appropriated in this item be used to fund Library Development Grants.*
19. *It is the intent of the Legislature that funding for the State Library be nonlapsing.*

### Community and Culture - Housing and Community Development

20. *It is the intent of the Legislature that \$2,000,000 General Fund one-time appropriated in this item be used to fund the Children's Museum.*
21. *It is the intent of the Legislature that funding for Community Development be nonlapsing.*

### Economic Development - Business and Travel Development

22. *It is the intent of the Legislature that \$330,000 General Fund appropriated in this item be used to fund the Manufacturer's Extension Partnership.*
23. *It is the intent of the Legislature that \$750,000 General Fund appropriated in this item be used to fund the Utah Sports Commission.*
24. *It is the intent of the Legislature that \$500,000 General Fund one-time and \$500,000 General Fund appropriated in this item be used to fund the Centers of Excellence Program.*
25. *It is the intent of the Legislature that funding for Business and Travel Development be nonlapsing.*

## **Health & Human Services - Department of Health**

### Health - Health Systems Improvement

26. *It is the intent of the Legislature that funds for the Primary Care Grants Program be considered nonlapsing.*

### Health - Medical Assistance

27. *It is the intent of the Legislature that the Department study removal of the state-option Medicaid resource tests applied to various Medicaid populations and submit a written report on the costs and effects of removing the tests, either entirely or in part, to the Health and Human Services Joint Appropriations Subcommittee and the Health and Human Services Interim Committee before October 1, 2005.*

## **Health & Human Services - Department of Human Services**

### Human Services - Substance Abuse & Mental Health

28. *It is the intent of the Legislature that the Division of Substance Abuse and Mental Health, in consultation with local mental health and substance abuse authorities and their providers, the Robert G. Sanderson Community Center of the Deaf and Hard of Hearing Programs within the Utah State Office of Rehabilitation, and others, identify critical issues related to the delivery of substance abuse and mental health services to persons with a hearing disability and report on those issues to the Health and Human Services Joint Appropriations Subcommittee and the Health and Human Services Interim Committee before October 1, 2005.*

#### Human Services - Svcs for People w/Disabilities

29. *It is the intent of the Legislature that funds appropriated for the home and community based services waiting list for people with disabilities be used exclusively for direct services and related support.*
30. *It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriations Subcommittee during the 2006 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including, but not limited to, administrators, supervisors and direct care workers.*

#### Human Services - Child and Family Services

31. *It is the intent of the Legislature that funds appropriated for cost of living increases for employees of private service providers contracting with the Division of Services for People with Disabilities and the Division of Child and Family Services be used exclusively for that purpose. It is further the intent of the Legislature that these divisions report to the Health and Human Services Appropriations Subcommittee during the 2006 General Session on the use of such funds, based on reports from providers, regarding its distribution and impact on salaries of various categories of staff, including, but not limited to, administrators, supervisors and direct care workers.*

#### Higher Education - Utah Education Network

##### Utah Education Network

32. *The Legislature intends that \$1,500,000 in one-time funds provided for network capacity and reliability be used for multi-year contracts with telecommunications service providers.*
33. *The Legislature intends that funds provided for the Utah Education Network shall not lapse.*

#### Natural Resources

##### Agriculture - Administration

34. *Notwithstanding the fees listed in the Annual Appropriations Act (H.B. 1, 2005 General Session) for the Regulatory Service program of the Department of Agriculture and Food, the Legislature approves the following fees under the terms and conditions of Section 4-2-2(2) for the use and support of the government of the State of Utah for the Fiscal Year beginning July 1, 2005 and ending June 30, 2006:*
35. *Base Food Inspection - Small (Less than 1,000 sq ft / 4 or fewer Employees) - \$20.00*
36. *Base Food Inspection - Medium (1,000-5,000 sq ft, with limited food Processing) - \$80.00*
37. *Base Food Inspection - Large (Food processor over 1,000 sq ft / Grocery store 1,000-50,000 sq ft and two or fewer food processing areas / Warehouse 1,000-50,000 sq ft.) - \$140.00*
38. *Base Food Inspection - Super (Food processor over 20,000 sq ft / Grocery store over 50,000 sq ft and more than two food processing areas / Warehouse over 50,000 sq ft.) - \$280.00*
39. *Base Weights and Measures - Small (1-3 scales, 1-12 fuel dispensers, 1 meter, 1 large scale, or 1-3 scanners) - \$20.00*
40. *Base Weights and Measures - Medium (4-15 scales, 13-24 fuel dispensers, 2-3 meters, 2-3 large scales, or 4-15 scanners) - \$80.00*
41. *Base Weights and Measures - Large (16-25 scales, 25-36 fuel dispensers, 4-6 meters, 4-5 large scales, or 16-25 scanners) - \$140.00*
42. *Base Weights and Measures - Super (26+ scales, 37+ fuel dispensers, 7+ meters, 6+ large scales, or 26+ scanners) - \$280.00*

## **Public Education**

### **State Board of Education - State Charter School Board**

43. *It is the intent of the Legislature that the State Board of Education use the funds reallocated from the Utah State Office of Education for two full time equivalent (FTE) employee positions at the Education Specialist level to provide staff support to the State Charter School Board in the following areas: technical assistance to charter school applicants, federal grant writing, performance outcome assessment, and financial performance oversight.*
44. *It is the intent of the Legislature that the \$2,800,000 in one-time Uniform School Fund revenue appropriated to the State Board of Education - State Charter School Board be used to equalize revenue received through the federal charter school start-up grant for charter schools that begin operations in fall 2005. When combined with per school allocations provided by the federal start-up grant, the Uniform School Fund appropriation shall be used to provide up to \$860 per student enrolled in a qualifying school to support start-up costs.*

### **State Board of Education - Fine Arts and Sciences**

45. *It is the intent of the Legislature that the Fine Arts and Sciences - Professional Outreach Programs in the Schools (POPS) program not be expanded to include additional professional organizations in FY 2006 and that the organizations participating in the program in FY 2005 continue to receive the same level of funding in FY 2006 as long they continue to provide the same level of service and meet the program requirements established by the Board.*
46. *Further, it is the intent of the Legislature that the State Board of Education report to the Education Interim Committee and the Executive Appropriations Committee prior to November 30, 2005 on the Board's long term goals for the programs in the Fine Arts and Sciences line item. The Legislature requests that the Board include the following in its report: (1) how well the programs offered by current participating organizations align with the core curriculum; (2) specific areas in the fine arts and science core curricula that may not be served by professional outreach programs; and (3), potential long term growth and funding needs of the program.*

## **Transportation & Environmental Quality**

### **National Guard - Utah National Guard**

47. *It is the intent of the Legislature that funds appropriated for tuition assistance for the National Guard be nonlapsing.*

### **Environmental Quality**

48. *It is the intent of the Legislature that the funds appropriated for the purpose of addressing high level nuclear waste be non lapsing.*

**APPENDIX F: INTENT LANGUAGE INCLUDED IN FY 2005 SUPPLEMENTAL ACT (S.B. 1, 2005 GS)**



# **Consolidated Intent Language - Supplemental Appropriations Act I**

## **Executive Offices & Criminal Justice**

### Governor's Office

1. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*

### Attorney General

2. *The Legislature intends that funds provided for the Attorney General shall not lapse.*

### Attorney General - Contract Attorneys

3. *The Legislature intends that funds provided for Contract Attorneys shall not lapse.*

### Corrections - Corrections Programs & Operations

4. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

### Corrections - Jail Contracting

5. *It is the intent of the Legislature that the funds for Jail Contracting shall not lapse.*

### Juvenile Justice Services - Programs and Operations

6. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

### Courts - Administration

7. *It is the intent of the Legislature that the Administrative Office of the Courts: 1) reimburse up to \$100,000 to any private nonprofit organization that, in reliance on representation that certain legal expenses for domestic violence would be reimbursed, has incurred expenses for: (a) legal advice for low income family members and low income victims of domestic violence about family law matters; and (b) legal representation in family law matters in Utah district or juvenile courts to low income family members and low income victims of domestic violence. 2) before reimbursing the monies to the private organization, obtain a written, signed, and dated certification from the organization that the monies were used or will be used exclusively to provide the services of 1(a) and 1(b).*

### Courts - Jury and Witness Fees

8. *It is the intent of the Legislature that the funds for Jury, Witness and Interpreter shall not lapse.*

### Public Safety - Public Safety Programs & Operations

9. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*

## **Capital Facilities & Administrative Services**

### Administrative Services - Automated Geographic Reference Center

10. *The Legislature intends that funds provided for the Automated Geographic Reference Center in FY 2005 shall not lapse.*

### Administrative Services - DFCM Administration

11. *The Legislature intends that the \$150,000 General Fund one-time appropriation shall not lapse.*
12. *It is the intent of the Legislature that the Department spend this money to conduct a feasibility study to determine whether or not to move the state prison at Draper to another location. It is also the intent of the Legislature that the Department, in expending the money to conduct the feasibility study, ensure that the process: allows substantial opportunity for public review and comment; gives due consideration to those public comments and recommendations in the preparations and final recommendations of the study; allows opportunities for all interested parties to submit written comments on any draft Request for Proposals; includes public hearings on the draft report and recommendations in each community affected by the*

*recommendations contained in the draft report; and allows opportunities for interested parties to submit oral or written comments to the draft report at those public hearings.*

Administrative Services - Finance Administration

13. *The Legislature intends that the \$50,000 General Fund one-time appropriation shall not lapse.*

Administrative Services - Finance - Mandated

14. *It is the intent of the Legislature that funds for the LeRay McAllister Fund shall not lapse.*

Administrative Services - Purchasing

15. *It is the intent of the Legislature that funds for Purchasing shall not lapse and that those funds shall be used for electronic commerce.*

Administrative Services - Child Welfare Parental Defense

16. *It is the intent of the Legislature that funds for the Office of Child Welfare Parental Defense shall not lapse and that those funds shall be used for contracting.*

ISF - Administrative Services - ISF - Information Technology Services

17. *The Legislature intends that, under the terms and conditions of Utah Code Annotated 63-38-8.2, \$1,347,000 in capital outlay authority granted to the Division of Information Technology Services for Fiscal Year 2005 shall not lapse. The Legislature intends that this authority will be used for the following projects: Campus Network Expansion; Intrusion Protection System; Microwave Expansion; RACF/UMD Integration; WAN Access Upgrades; WAN Distribution Upgrades.*

**Commerce & Revenue**

Tax Commission - Tax Administration

18. *It is the intent of the legislature that the Utah State Tax Commission carry forward unexpended funds related to implementing Streamlined Sales Tax legislation.*

Workforce Services

19. *The Legislature does not intend to lapse \$3,000,000 appropriated in Fiscal Year 2005 from the General Fund Restricted - Special Administrative Expense fund for the Electronic resource Eligibility Project (eREP).*

Labor Commission

20. *Under the terms of Section 63-38-8.1 Utah Code Annotated, Item 79 of Chapter 256 is made nonlapsing with the use of any nonlapsing funds limited to the following: \$50,000 for computer equipment and software.*

Insurance - Insurance Department Administration

21. *Under the terms of Section 63-38-8.1 Utah Code Annotated, Item 85 of Chapter 256 is made nonlapsing with the use of any nonlapsing funds limited to the following: \$120,000 for computer equipment and software, and \$10,000 for employee training.*

Public Service Commission

22. *The Legislature does not intend to lapse the appropriation made by the passage of S. B. 1, Appropriations Act, 2004 General Session, Item 89.*

**Economic Development & Human Resources**

Economic Development - Business and Travel Development

23. *It is the intent of the legislature that funding for Division of Business and Economic Development be non-lapsing. This intent supercedes intent language found in Senate Bill 1, Item 99, of the 2004 General Session.*

24. *It is the intent of the legislature that funding for Travel Council be non-lapsing. This intent supercedes intent language found in Senate Bill 1, Item 100, of the 2004 General Session.*
25. *It is the intent of the Legislature that \$250,000 General Fund one-time funding appropriated in this item be used to fund the Manufacturer's Extension Partnership.*
26. *It is the intent of the Legislature that funding for Business and Travel Development be nonlapsing.*

#### **Health & Human Services - Department of Health**

##### **Health - Epidemiology & Lab Services**

27. *Under the terms of UCA 63-38-8.1, the Legislature intends to make nonlapsing item 114, Chapter 256, Laws of Utah 2004. Expenditure of these funds is limited to \$200,000 for laboratory equipment, computer equipment and/or software, and building improvements.*

##### **Health - Community & Family Health**

28. *It is the intent of the Legislature that \$75,000 of immunization funding be considered nonlapsing and be used to purchase flu vaccine.*

#### **Health & Human Services - Department of Human Services**

##### **Human Services - Executive Director Operations**

29. *If funds are available, the Foster Care Citizens Review Board is authorized to not lapse funds at the end of FY 2005. These funds are to be used solely for one-time development, maintenance, and upgrading of computer software and equipment and for recruitment, training and retention of volunteers.*

##### **Human Services - Drug Courts/Boards**

30. *It is the intent of the Legislature that funds appropriated for Drug Courts and Drug Boards from the Tobacco Settlement Restricted Account for FY 2005 be non-lapsing.*

##### **Human Services - Substance Abuse & Mental Health**

31. *If funds are available, the Division of Substance Abuse and Mental Health is authorized to not lapse up to \$65,000 at the end of FY 2005. These funds are to be used for the purchase of computer equipment and software, capital equipment or improvements, and equipment or supplies.*

##### **Human Services - Child and Family Services**

32. *If funds are available, the Division of Child and Family Services is authorized to not lapse up to \$50,000 at the end of FY 2005. These funds are to be used for the purchase of computer equipment and software.*

##### **Human Services - Aging and Adult Services**

33. *If funds are available, the Division of Aging and Adult Services is authorized to not lapse up to \$100,000 at the end of FY 2005. These funds are to be used for senior center renovations and to assist with vehicle maintenance and replacements within local area agencies on aging.*

#### **Natural Resources**

##### **Natural Resources - Administration**

34. *It is the intent of the Legislature that the \$2,000,000 appropriated to the Department of Natural Resources -- Administration in S.B.1, Item 54, be nonlapsing.*

##### **Natural Resources - Forestry, Fire and State Lands**

35. *It is the intent of the Legislature that the \$447,000 funding increase from General Fund Restricted - Sovereign Land Management account for the Special Master be nonlapsing.*
36. *It is the intent of the Legislature that the \$50,000 funding increase from General Fund Restricted - Sovereign Land Management account for remedial action for Rozel Point Oil wells be nonlapsing.*

Agriculture - Administration

37. *It is the intent of the Legislature that the \$150,000 General Fund supplemental appropriation for the Regulatory Services program be nonlapsing.*

**Transportation & Environmental Quality**

National Guard - Utah National Guard

38. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 219 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Veterans' Cemetery - \$50,000*  
*Armory Maintenance - \$50,000*

Transportation - Support Services

39. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 223 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Data Processing - \$300,000*

Transportation - Engineering Services

40. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 224 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Engineering Services - \$100,000*

Transportation - Maintenance Management

41. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 223 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Contractual Maintenance - \$100,000*  
*Land and Buildings (environmental clean up) - \$200,000*  
*Land Purchases - \$500,000*

Transportation - Region Management

42. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 225 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Region Management - \$100,000*

Transportation - Equipment Management

43. *Under terms of Section 63-38-8.1 Utah Code Annotated, Item 228 of Chapter 256 Laws of Utah 2004 is made nonlapsing with the use of any nonlapsing funds limited to the following:*  
*Equipment Purchases - \$100,000*

**APPENDIX G: INTENT LANGUAGE INCLUDED IN FY05-06 BILL OF BILLS (S.B. 3, 2005 GS)**



# Consolidated Intent Language - Supplemental Appropriations Act II

03-01-2005

## Section 1 - FY 2006

### **Executive Offices & Criminal Justice**

#### Governor's Office

1. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*
2. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*

#### Governor's Office - Governor's Office of Planning and Budget

3. *The Legislature intends that funds provided for the Governor's Office of Planning and Budget shall not lapse.*
4. *It is the intent of the Legislature that the Governor's Office of Planning and Budget use the monies appropriated for State and Local Planning to assist cities and counties with county resource management planning, quality growth planning, critical lands planning, or other important local government planning needs.*

#### Governor's Office - Commission on Criminal and Juvenile Justice

5. *The Legislature intends that funds provided for the Commission on Criminal and Juvenile Justice shall not lapse.*

#### State Auditor

6. *The Legislature intends that funds provided for the State Auditor shall not lapse.*
7. *The Legislature intends that funds provided for the State Auditor shall not lapse.*

#### State Treasurer

8. *The Legislature intends that funds provided for the State Treasurer shall not lapse.*
9. *The Legislature intends that funds provided for the State Treasurer shall not lapse.*

#### Attorney General

10. *The Legislature intends that funds provided for the Attorney General shall not lapse.*
11. *The Legislature intends that funds provided for the Attorney General shall not lapse.*
12. *The Legislature intends that funds provided for the Attorney General shall not lapse.*
13. *The Legislature intends that funds provided for the Attorney General shall not lapse.*

#### Attorney General - Children's Justice Centers

14. *The Legislature intends that funds provided for the Children's Justice Centers shall not lapse.*
15. *The Legislature intends that funds provided for the Children's Justice Centers shall not lapse.*

#### Attorney General - Prosecution Council

16. *The Legislature intends that funds provided for Prosecution Council shall not lapse.*

#### Corrections - Corrections Programs & Operations

17. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*
18. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*
19. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

Corrections - Department Medical Services

20. *It is the intent of the Legislature that the funds for Medical Services shall not lapse.*

Board of Pardons and Parole

21. *It is the intent of the Legislature that the funds for the Board of Pardons and Parole shall not lapse.*

Juvenile Justice Services - Programs and Operations

22. *It is the intent of the Legislature that the funds for Programs and Operations shall not lapse.*

Juvenile Justice Services - Youth Parole Authority

23. *It is the intent of the Legislature that the funds for Youth Parole Authority shall not lapse.*

Courts - Administration

24. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*

25. *Under the provisions of Section 67-8-2, Utah Code Annotated, the following salaries are approved for judicial officials for July 2, 2005 to June 30, 2006: District Court Judge \$ 111,050. Other judicial salaries will be calculated in accordance with the statutory formula and rounded to the nearest \$50.*

26. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*

27. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*

28. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*

29. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*

30. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*

31. *It is the intent of the Legislature that the funds for the Courts Administration shall not lapse.*

Courts - Contracts and Leases

32. *It is the intent of the Legislature that the funds for Contracts and Leases shall not lapse.*

Courts - Guardian ad Litem

33. *It is the intent of the Legislature that the funds for Guardian ad Litem shall not lapse.*

34. *It is the intent of the Legislature that the funds for Guardian ad Litem shall not lapse.*

Public Safety - Public Safety Programs & Operations

35. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*

36. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*

Public Safety - Emergency Services and Homeland Security

37. *The Legislature intends that funds provided for Emergency Services and Homeland Security shall not lapse.*

Public Safety - Peace Officers' Standards and Training

38. *The Legislature intends that funds provided for Peace Officers' Standards and Training shall not lapse.*

Public Safety - Liquor Law Enforcement

39. *The Legislature intends that funds provided for Liquor Law Enforcement shall not lapse.*

Public Safety - Driver License

40. *The Legislature intends that funds provided for the Driver License line item shall not lapse.*

41. *The Legislature intends that funds provided for the Driver License line item shall not lapse.*

Public Safety - Highway Safety

42. *The Legislature intends that funds provided for Highway Safety shall not lapse.*

**Capital Facilities & Administrative Services**

Technology Services - Integrated Technology

43. *The Legislature intends that FY 2005 funds appropriated to the Department of Administrative Services - Automated Geographic Reference Center that do not lapse under authority granted in the Supplemental Appropriations Act (S.B. 1, 2005 General Session) shall be transferred to the Department of Technology Services - Division of Integrated Technology - Automated Geographic Reference Center on July 1, 2005.*

ISF - Dept. of Technology Services - ISF - Enterprise Technology

44. *The Legislature intends that for each full-time equivalent position filled in Department of Technology Services internal service funds at least one position will be vacated and eliminated at the Department of Administrative Services - Division of Information Technology Services or elsewhere in state government.*

Capital Budget - Capital Development

45. *It is the intent of the Legislature that: the College of Eastern Utah may use donations and other institutional funds to plan, design, and construct a Fine Arts Complex under the direction of the director of the Division of Facilities Construction and Management unless supervisory authority has been delegated; no state funds may be used for any portion of this project; and the university may request state funds for operations and maintenance to the extent that the university is able to demonstrate to the Board of Regents that the facility meets approved academic and training purposes under Board of Regents policy R710.*

**Commerce & Revenue**

Tax Commission - Tax Administration

46. *The Legislature intends that passage of H. B. 68 includes authorization for three vehicles and four full time equivalent employees.*

Commerce - Commerce General Regulation

47. *The following fees, which were approved in the Annual Appropriations Act (H. B. 1, 2005 General Session), are hereby repealed:*  
*Pharmaceutical Manufacturer - New Application Filing - 200.00;*  
*Pharmaceutical Manufacturer - License Renewal - 100.00;*  
*Pharmacy Wholesaler/Distributor - New Application Filing - 200.00;*  
*Pharmacy Wholesaler/Distributor - License Renewal - 100.00;*  
*Veterinary Pharm Outlet - New App Filing - 200.00;*  
*Veterinary Pharm Outlet - License Renewal - 100.00;*  
*Pharm Research - New Application Filing - 200.00;*  
*Pharm Research - License Renewal - 100.00;*  
*Pharm Dog trainer - New Application Filing - 200.00;*  
*Pharm Dog Trainer - License Renewal - 100.00;*  
*Pharm Teaching Organization - New App Filing - 200.00;*  
*Pharm Teaching Organization - Lic Renewal - 100.00;*  
*Euthanasia Agency - New Application Filing - 200.00;*  
*Euthanasia Agency - License Renewal - 100.00;*  
*Analytical Laboratory - New Application Filing - 200.00;*  
*Analytical Laboratory - License Renewal - 100.00;*  
*Pharmacy Administration - New Application Filing - 200.00;*  
*Pharm Administration - License Renewal - 100.00;*  
*Pharmaceutical Out-of-State Mail Order - 200.00;*  
*Pharmaceutical Out-of-State Mail Order Renewal - 100.00.*

## **Economic Development & Human Resources**

### Community and Culture - Fine Arts

48. *It is the intent of the Legislature that the \$50,000 General Fund one-time monies appropriated in this item be used to fund the Moab Music Festival.*

### Community and Culture - Housing and Community Development

49. *It is the intent of the Legislature that \$400,000 of this appropriation be used to fund the Treehouse Museum, and that \$10,000 of this appropriation be used to fund the Hill Air Force Base Museum.*

### Community and Culture - Community Development Capital Budget

50. *It is the intent of the Legislature that the Permanent Community Impact Fund Board (PCIFB) distribute funding of \$385,000 of the funds appropriated to it in Item 84, H.B. 1, Annual Appropriations Act, 2005 annual General Session, equally to the 7 associations of government. It is further the intent of the Legislature that 1) the associations of government use the distributed monies for planning, for construction and maintenance of public facilities, and to provide public services and 2) that no further distributions will be made to the Association of Government from the PCIFB.*

### Economic Development - Business and Travel Development

51. *It is the intent of the Legislature that \$25,000 General Fund one-time funding appropriated in this item be used to fund the Utah Summer Games.*

## **Health & Human Services - Department of Health**

### Health - Community & Family Health

52. *The Legislature intends that the \$50,000 appropriated in this item be used to support the Center for Multicultural Health.*

### Health - Medical Assistance

53. *It is the intent of the Legislature that \$17,165,100, of which \$4,959,000 is from the General Fund, one-time, be used to restore Medicaid vision services and adult dental services.*

## **Health & Human Services - Department of Human Services**

### Human Services - Executive Director Operations

54. *The Legislature approves the following fee under terms and conditions of Section 63-38-3 for the use and support of the government of the State of Utah for the fiscal year beginning July 1, 2005 and ending June 30, 2006:*
55. *Intercountry Adoption Accreditation Fee - \$15,000.*

### Human Services - Substance Abuse & Mental Health

56. *It is the intent of the Legislature that these funds, which are appropriated to address the loss of Medicaid funds used for mental health services provided by local mental health centers to non-Medicaid eligible clients, be used solely for that purpose.*

## **Natural Resources**

### Public Lands Office - Office of Public Lands

57. *The Legislature intends that FY 2005 funds appropriated to the Governor's Office - Constitutional Defense Council and the Governor's Office - RS-2477 Rights of Way program that do not lapse shall be transferred to the Public Lands Policy Coordinating Office on July 1, 2005.*

Agriculture - Administration

58. *The Legislature intends that \$10,000 shall be used for the Dyer's Woad weed control bagging program in Cache and Box Elder counties.*

**Public Education**

State Board of Education - State Office of Education

59. *The Legislature intends that the \$15,000 appropriated in this item be used for implementation of a Congressional Conference on Civic Education action plan.*

State Board of Education - State Charter School Board

60. *It is the intent of the Legislature that the State Board of Education, in consultation with the State Charter School Board, distribute the \$100,000 ongoing Uniform School Fund revenue appropriated for charter school administration on an equalized per student basis as determined by actual fall enrollment count to charter schools that receive funding through the Minimum School Program - Administrative Cost Formula program.*

State Board of Education - State Office of Rehabilitation

61. *It is the intent of the Legislature that the State Board of Education use the \$50,000 in ongoing Uniform School Funds appropriated to the Utah State Office of Rehabilitation - Services for the Deaf and Hard of Hearing to support further outreach services in southern Utah.*

## **Section 2 - FY 2005**

### **Executive Offices & Criminal Justice**

#### Governor's Office

1. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*
2. *The Legislature intends that funds provided for the Governor's Office shall not lapse.*

#### Public Safety - Public Safety Programs & Operations

3. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*
4. *The Legislature intends that funds provided for Public Safety Programs and Operations shall not lapse.*

### **Economic Development & Human Resources**

#### Community and Culture - Administration

5. *It is the intent of the Legislature that funding for Administration specified for easement acquisition be nonlapsing. This intent supercedes intent language found in Senate Bill 1, Item 96, of the 2004 General Session.*

### **Natural Resources**

#### Natural Resources - Administration

6. *It is the intent of the Legislature that the \$2,000,000 appropriated to the Department of Natural Resources -- Administration in S.B.1, Item 54, be nonlapsing.*
7. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 183, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Current Expense Items \$40,000; Computer Equipment/Software \$18,000; Employee Training/Incentives \$15,000; Equipment/Supplies \$14,000; Special Projects/Studies \$15,000; Gate Replacement \$23,000; Building Maintenance \$25,000; Professional and Technical Services \$25,000.*

#### Natural Resources - Oil, Gas and Mining

8. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 187, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Computer Equipment/Software \$40,000; Employee Training/Incentives \$20,000; Equipment/Supplies \$20,000.*

#### Natural Resources - Parks & Recreation

9. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 194, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Capital Equipment or Improvements \$20,000; Computer Equipment/Software \$25,000; Employee Training/Incentives \$45,000; Equipment/Supplies \$60,000.*

#### Natural Resources - Water Resources

10. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 197, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Computer Equipment/Software \$30,000; Employee Training/Incentives \$5,000; Equipment/Supplies \$10,000; Special Projects/Studies \$10,000; Printing and Binding \$15,000; Other Contractual & Professional Services \$25,000; Water Conservation Materials/Education \$10,000; Conventions and Workshops \$5,000; Postage and Mailing \$2,000.*

#### Natural Resources - Water Rights

11. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 200, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Computer Equipment/Software \$25,000; Employee Training/Incentives \$25,000; Special Projects/Studies \$50,000; Water Resources Investigations \$50,000.*

#### Agriculture - Administration

12. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 202, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Capital Equipment or Improvements \$320,000; Computer Equipment/Software \$185,000; Employee Training/Incentives \$97,000; Equipment/Supplies \$102,000; Special Projects/Studies \$54,000; Vehicles \$34,000; Other \$5,000.*

#### Agriculture - Resource Conservation

13. *Under the terms of UCA 63-38-8.1, the Legislature intends not to lapse Item 206, Chapter 256, Laws of Utah 2004. Expenditures of these funds is limited to: Computer Equipment/Software \$2,000; Employee Training/Incentives \$1,000.*

#### **Public Education**

##### State Board of Education - State Office of Education

14. *It is the intent of the Legislature that the State Board of Education use the \$1,400,000 one-time General Fund appropriation provided during the 2004 General Session to provide for any FY 2005 costs associated with the implementation of H.B. 249 - Carson Smith Scholarships.*